

General Assembly

Committee Bill No. 1

January Session, 2015

LCO No. 5233



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by: (PD)

AN ACT CONCERNING TAX FAIRNESS AND ECONOMIC DEVELOPMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (Effective July 1, 2016) (a) For purposes of this
- 2 section, "state, municipal or tribal property" means all real property
- described in subsection (a) of section 12-19a of the general statutes, and
- 4 "college and hospital property" means all real property described in
- 5 subsection (a) of section 12-20a of the general statutes.
- 6 (b) Notwithstanding the provisions of sections 12-19a and 12-20a of
- 7 the general statutes, for fiscal years commencing on and after July 1,
- 8 2016, all state grants in lieu of property taxes for state, municipal or
- 9 tribal property and college and hospital property shall be such that
- 10 each municipality shall receive a grant in lieu of taxes in an amount
- 11 equal to that paid to the municipality pursuant to sections 12-19a and
- 12 12-20a of the general statutes for the fiscal year commencing July 1,
- 13 2014. Any funds appropriated for state grants in lieu of property taxes
- 14 in excess of the total grant in lieu of taxes to all municipalities for the
- 15 fiscal year commencing July 1, 2014, shall be paid to each municipality
- of the state in accordance with this section. On or before January first,

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17 annually, the Secretary of the Office of Policy and Management shall 18 determine the amount due, as a state grant in lieu of taxes, to each 19 municipality in this state wherein college and hospital property and 20 state, municipal or tribal property, except that which was acquired and 21 used for highways and bridges, but not excepting property acquired 22 and used for highway administration or maintenance purposes, is 23 located. The grant payable to any town under the provisions of this 24 section in the fiscal year commencing July 1, 2016, and each fiscal year 25 thereafter shall be equal to the total of:

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- (1) One hundred per cent of the property taxes that would have been paid with respect to any facility designated by the Commissioner of Correction, on or before August first of each year, to be a correctional facility administered under the auspices of the Department of Correction or a juvenile detention center under direction of the Department of Children and Families that was used for incarcerative purposes during the preceding fiscal year. If a list containing the name and location of such designated facilities and information concerning their use for purposes of incarceration during the preceding fiscal year is not available from the Secretary of the State on August first of any year, the Commissioner of Correction shall, on said date, certify to the Secretary of the Office of Policy and Management a list containing such information;
- 39 (2) One hundred per cent of the property taxes that would have 40 been paid with respect to that portion of the John Dempsey Hospital 41 located at The University of Connecticut Health Center in Farmington 42 that is used as a permanent medical ward for prisoners under the 43 custody of the Department of Correction. Nothing in this section shall 44 be construed as designating any portion of The University of 45 Connecticut Health Center John Dempsey Hospital as a correctional 46 facility;
- 47 (3) One hundred per cent of the property taxes that would have 48 been paid on any land designated within the 1983 Settlement

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boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation on or after June 8, 1999;

- (4) Subject to the provisions of subsection (c) of section 12-19a of the general statutes, sixty-five per cent of the property taxes that would have been paid with respect to the buildings and grounds comprising Connecticut Valley Hospital in Middletown;
- (5) With respect to any town in which more than fifty per cent of the property is state-owned real property, one hundred per cent of the property taxes that would have been paid with respect to such state-owned property;
- (6) Forty-five per cent of the property taxes that would have been paid with respect to all municipally owned airports; except for the exemption applicable to such property, on the assessment list in such town for the assessment date two years prior to the commencement of the state fiscal year in which such grant is payable. The grant provided pursuant to this section for any municipally owned airport shall be paid to any municipality in which the airport is located, except that the grant applicable to Sikorsky Airport shall be paid one-half to the town of Stratford and one-half to the city of Bridgeport;
- (7) Forty-five per cent of the property taxes that would have been paid with respect to any land designated within the 1983 Settlement boundary and taken into trust by the federal government for the Mashantucket Pequot Tribal Nation prior to June 8, 1999, or taken into trust by the federal government for the Mohegan Tribe of Indians of Connecticut, provided the real property subject to this subdivision shall be the land only, and shall not include the assessed value of any structures, buildings or other improvements on such land; and
- (8) Notwithstanding the provisions of subdivision (9) of subsection (b) of this section, the grant payable to any municipality with respect to a campus of the United States Department of Veterans Affairs Connecticut Healthcare Systems shall be one hundred per cent.

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(c) The Secretary of the Office of Policy and Management shall list municipalities based on the percentage of real property on the grand list of each municipality that is exempt from property tax under any provision of the general statutes. Such property shall not include municipally-owned property except for municipally-owned airports.

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(d) The amount of the grant payable to each municipality in any year for property described in subdivisions (1) to (8), inclusive, of subsection (b) of this section shall be reduced proportionately in the event that the total of such grants in such year exceeds the amount appropriated for the purposes of this section with respect to such year, provided no such grant shall be reduced to an amount less than that received by a municipality pursuant to sections 12-19a and 12-20a of the general statutes for the fiscal year commencing July 1, 2014. The amount of the grant payable to each municipality in any year for all other state, municipal or tribal property and college and hospital property shall be reduced as follows, provided no such grant shall be reduced to an amount less than that received by a municipality pursuant to sections 12-19a and 12-20a of the general statutes for the fiscal year commencing July 1, 2014: (1) The ten municipalities with the highest percentage of tax exempt property on the list prepared by the secretary pursuant to subsection (c) of this section shall each receive a grant in lieu of taxes equal to forty-two per cent of the property taxes that would have been paid to such municipality on college and hospital property; (2) the next twenty municipalities with the highest percentage of tax exempt property on such list shall each receive a grant in lieu of taxes equal to thirty-seven per cent of the property taxes that would have been paid to such municipality on college and hospital property; (3) all municipalities not included in subdivisions (1) to (3), inclusive, of this subsection shall each receive a grant in lieu of taxes equal to thirty-two per cent of the property taxes that would have been paid to such municipality on college and hospital property; (4) the ten municipalities with the highest percentage of tax exempt property on the list prepared by the secretary pursuant to subsection (c) of this section shall each receive a grant in lieu of taxes equal to

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114 thirty-two per cent of the property taxes that would have been paid to 115 such municipality on state, municipal or tribal property; (5) the next 116 twenty municipalities with the highest percentage of tax exempt 117 property on such list shall each receive a grant in lieu of taxes equal to 118 twenty-eight per cent of the property taxes that would have been paid 119 to such municipality on state, municipal or tribal property; and (6) all 120 municipalities not included in subdivisions (4) to (6), inclusive, of this 121 section shall each receive a grant in lieu of taxes equal to twenty-four 122 per cent of the property taxes that would have been paid to such 123 municipality on state, municipal or tribal property.

(e) Notwithstanding the provisions of subsections (a) to (d), inclusive, of this section, for any town receiving payments under section 15-120ss of the general statutes, property located in such town at Bradley International Airport shall not be included in the calculation of any state grant in lieu of taxes pursuant to this section.

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- (f) The Office of Policy and Management shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding, on or before July 1, 2017, and on or before July first annually thereafter until July 1, 2020, with regard to the grants distributed in accordance with this section, and shall include in such reports any recommendations for changes in the grants.
- 137 Sec. 2. Section 12-19b of the general statutes is repealed and the 138 following is substituted in lieu thereof (*Effective July 1, 2016*):
 - (a) Not later than April first in any assessment year, any town or borough to which a grant is payable under the provisions of section 12-19a or section 1 of this act, as applicable, shall provide the Secretary of the Office of Policy and Management with the assessed valuation of the real property eligible therefor as of the first day of October immediately preceding, adjusted in accordance with any gradual increase in or deferment of assessed values of real property

LCO No. 5233 **5** of 70 implemented in accordance with section 12-62c, which is required for computation of such grant. Any town which neglects to transmit to the secretary the assessed valuation as required by this section shall forfeit two hundred fifty dollars to the state, provided the secretary may waive such forfeiture in accordance with procedures and standards adopted by regulation in accordance with chapter 54. Said secretary may on or before the first day of August of the state fiscal year in which such grant is payable, reevaluate any such property when, in the secretary's judgment, the valuation is inaccurate and shall notify such town of such reevaluation by certified or registered mail. Any town or borough aggrieved by the action of the secretary under the provisions of this section may, not later than ten business days following receipt of such notice, appeal to the secretary for a hearing concerning such reevaluation. Such appeal shall be in writing and shall include a statement as to the reasons for such appeal. The secretary shall, not later than ten business days following receipt of such appeal, grant or deny such hearing by notification in writing, including in the event of a denial, a statement as to the reasons for such denial. Such notification shall be sent by certified or registered mail. If any town or borough is aggrieved by the action of the secretary following such hearing or in denying any such hearing, the town or borough may not later than ten business days after receiving such notice, appeal to the superior court for the judicial district wherein such town is located. Any such appeal shall be privileged.

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(b) Notwithstanding the provisions of section 12-19a, section 1 of this act or subsection (a) of this section, there shall be an amount due the municipality of Voluntown, on or before the thirtieth day of September, annually, with respect to any state-owned forest, of an additional sixty thousand dollars, which amount shall be paid from the annual appropriation, from the General Fund, for reimbursement to towns for loss of taxes on private tax-exempt property.

Sec. 3. Section 12-19c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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The Secretary of the Office of Policy and Management shall, not later than September fifteenth, certify to the Comptroller the amount due each town or borough under the provisions of section 12-19a or section 1 of this act, as applicable, or under any recomputation occurring prior to said September fifteenth which may be effected as the result of the provisions of section 12-19b, as amended by this act, and the Comptroller shall draw an order on the Treasurer on or before the fifth business day following September fifteenth and the Treasurer shall pay the amount thereof to such town on or before the thirtieth day of September following. If any recomputation is effected as the result of the provisions of section 12-19b, as amended by this act, on or after the August first following the date on which the town has provided the assessed valuation in question, any adjustments to the amount due to any town for the period for which such adjustments were made shall be made in the next payment the Treasurer shall make to such town pursuant to this section.

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Sec. 4. Subsection (a) of section 12-20b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2016):

(a) Not later than April first in each year, any municipality to which a grant is payable under the provisions of section 12-20a or section 1 of this act, as applicable, shall provide the Secretary of the Office of Policy and Management with the assessed valuation of the tax-exempt real property as of the immediately preceding October first, adjusted in accordance with any gradual increase in or deferment of assessed values of real property implemented in accordance with section 12-62c, which is required for computation of such grant. Any municipality which neglects to transmit to the Secretary of the Office of Policy and Management the assessed valuation as required by this section shall forfeit two hundred fifty dollars to the state, provided the secretary may waive such forfeiture in accordance with procedures and standards adopted by regulation in accordance with chapter 54. Said secretary may, on or before the first day of August of the state fiscal

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year in which such grant is payable, reevaluate any such property when, in his or her judgment, the valuation is inaccurate and shall notify such municipality of such reevaluation. Any municipality aggrieved by the action of said secretary under the provisions of this section may, not later than ten business days following receipt of such notice, appeal to the secretary for a hearing concerning such reevaluation, provided such appeal shall be in writing and shall include a statement as to the reasons for such appeal. The secretary shall, not later than ten business days following receipt of such appeal, grant or deny such hearing by notification in writing, including in the event of a denial, a statement as to the reasons for such denial. If any municipality is aggrieved by the action of the secretary following such hearing or in denying any such hearing, the municipality may not later than two weeks after such notice, appeal to the superior court for the judicial district in which the municipality is located. Any such appeal shall be privileged. Said secretary shall certify to the Comptroller the amount due each municipality under the provisions of section 12-20a or section 1 of this act, as applicable, or under any recomputation occurring prior to September fifteenth which may be effected as the result of the provisions of this section, and the Comptroller shall draw his or her order on the Treasurer on or before the fifth business day following September fifteenth and the Treasurer shall pay the amount thereof to such municipality on or before the thirtieth day of September following. If any recomputation is effected as the result of the provisions of this section on or after the January first following the date on which the municipality has provided the assessed valuation in question, any adjustments to the amount due to any municipality for the period for which such adjustments were made shall be made in the next payment the Treasurer shall make to such municipality pursuant to this section.

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Sec. 5. Subsection (a) of section 12-63h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2016):

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(a) The Secretary of the Office of Policy and Management shall establish a pilot program in up to three municipalities whereby the selected municipalities shall develop a plan for implementation of land value taxation that (1) classifies real estate included in the taxable grand list as (A) land or land exclusive of buildings, or (B) buildings on land; and (2) establishes a different mill rate for property tax purposes for each class, provided the higher mill rate shall apply to land or land exclusive of buildings. The different mill rates for taxable real estate in each class shall not be applicable to any property for which a grant is payable under section 12-19a, [or] 12-20a, or section 1 of this act, as applicable.

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Sec. 6. Subsection (b) of section 12-64 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2016):

(b) Except as provided in subsection (c) of this section, any land, buildings or easement to use air rights belonging to or held in trust for the state, not used for purposes attributable to functions of the state government or any other governmental purpose but leased to a person or organization for use unrelated to any such purpose, exclusive of any such lease with respect to which a binding agreement is in effect on June 25, 1985, shall be separately assessed in the name of the lessee and subject to local taxation annually in the name of the lessee having immediate right to occupancy of such land or building, by the town wherein situated as of the assessment day next following the date of leasing pursuant to section 4b-38, as amended by this act. If such property or any portion thereof is leased to any organization which, if the property were owned by or held in trust for such organization, would not be liable for taxes with respect to such property under any of the subdivisions of section 12-81, as amended by this act, such organization shall be entitled to exemption from property taxes as the lessee under such lease, provided such property is used exclusively for the purposes of such organization as stated in the applicable subdivision of [said] section 12-81, as amended by this act, and the

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portion of such property so leased to such exempt organization shall be eligible for a grant in lieu of taxes pursuant to section 12-19a or section 1 of this act, as applicable. Whenever the lessee of such property is required to pay property taxes to the town in which such property is situated as provided in this subsection, the assessed valuation of such property subject to the interest of the lessee shall not be included in the annual list of assessed values of state-owned real property in such town as prepared for purposes of state grants in accordance with [said] section 12-19a or section 1 of this act, as applicable, and the amount of grant to such town under [said] section 12-19a or section 1 of this act, as applicable, shall be determined without consideration of such assessed value.

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- Sec. 7. Subsections (a) to (d), inclusive, of section 3-55j of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):
- (a) Twenty million dollars of the moneys available in the Mashantucket Pequot and Mohegan Fund established by section 3-55i shall be paid to municipalities eligible for a state grant in lieu of taxes pursuant to subdivision (2) of subsection (c) of section [12-19a] 1 of this act in addition to the grants payable to such municipalities pursuant to section [12-19a] 1 of this act subject to the provisions of subsection (b) of this section. Such grant shall be [calculated under the provisions of section 12-19a and shall equal one-third of the additional amount which such municipalities would be eligible to receive if the total amount available for distribution were eighty-five million two hundred five thousand eighty-five dollars and the percentage of reimbursement set forth in section 12-19a were increased to reflect such amount] equal to that paid to the municipality pursuant to this section for the fiscal year commencing July 1, 2014. Any eligible special services district shall receive a portion of the grant payable under this subsection to the town in which such district is located. The portion payable to any such district under this subsection shall be the amount of the grant to the town under this subsection which results from

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application of the district mill rate to exempt property in the district.

As used in this subsection and subsection (c) of this section, "eligible special services district" means any special services district created by a town charter, having its own governing body and for the assessment year commencing October 1, 1996, containing fifty per cent or more of the value of total taxable property within the town in which such district is located.

- (b) No municipality shall receive a grant pursuant to subsection (a) of this section which, when added to the amount of the grant payable to such municipality pursuant to <u>subdivision (2) of subsection (c) of</u> section [12-19a] 1 of this act, would exceed one hundred per cent of the property taxes which would have been paid with respect to all state-owned real property, except for the exemption applicable to such property, on the assessment list in such municipality for the assessment date two years prior to the commencement of the state fiscal year in which such grants are payable, except that, notwithstanding the provisions of said subsection (a), no municipality shall receive a grant pursuant to said subsection which is less than one thousand six hundred sixty-seven dollars.
- (c) Twenty million one hundred twenty-three thousand nine hundred sixteen dollars of the moneys available in the Mashantucket Pequot and Mohegan Fund established by section 3-55i shall be paid to municipalities eligible for a state grant in lieu of taxes pursuant to subdivision (1) of subsection (c) of section [12-20a] 1 of this act, in addition to [and in the same proportion as] the grants payable to such municipalities pursuant to section [12-20a] 1 of this act, subject to the provisions of subsection (d) of this section. Such grant shall be equal to that paid to the municipality pursuant to this section for the fiscal year commencing July 1, 2014. Any eligible special services district shall receive a portion of the grant payable under this subsection to the town in which such district is located. The portion payable to any such district under this subsection which results from application of the

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district mill rate to exempt property in the district.

- (d) Notwithstanding the provisions of subsection (c) of this section, no municipality shall receive a grant pursuant to said subsection which, when added to the amount of the grant payable to such municipality pursuant to <u>subdivision (1) of subsection (c) of</u> section [12-20a] 1 of this act, would exceed one hundred per cent of the property taxes which, except for any exemption applicable to any private nonprofit institution of higher education, nonprofit general hospital facility or freestanding chronic disease hospital under the provisions of section 12-81, <u>as amended by this act</u>, would have been paid with respect to such exempt real property on the assessment list in such municipality for the assessment date two years prior to the commencement of the state fiscal year in which such grants are payable.
- Sec. 8. Subsection (g) of section 4b-38 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2016):
 - (g) Notwithstanding the provisions of this section, the board of trustees of a constituent unit of the state system of higher education may lease land or buildings, or both, and facilities under the control and supervision of such board when such land, buildings or facilities are otherwise not used or needed for use by the constituent unit and such action seems desirable to produce income or is otherwise in the public interest, provided the Treasurer has determined that such action will not affect the status of any tax-exempt obligations issued or to be issued by the state of Connecticut. Upon executing any such lease, said board shall forward a copy to the assessor or board of assessors of the municipality in which the leased property is located. The proceeds from any lease or rental agreement pursuant to this subsection shall be retained by the constituent unit. Any land so leased for private use and the buildings and appurtenances thereon shall be subject to local assessment and taxation annually in the name of the lessee, assignee or

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376 sublessee, whichever has immediate right to occupancy of such land or 377 building, by the town wherein situated as of the assessment day of 378 such town next following the date of leasing. Such land and the 379 buildings and appurtenances thereon shall not be included as property 380 of the constituent unit for the purpose of computing a grant in lieu of 381 taxes pursuant to section 12-19a or section 1 of this act, as applicable, 382 provided, if such property is leased to an organization which, if the 383 property were owned by or held in trust for such organization would 384 not be liable for taxes with respect to such property under section 12-385 81, as amended by this act, such organization shall be entitled to 386 exemption from property taxes as the lessee under such lease, and the 387 portion of such property exempted and leased to such organization 388 shall be eligible for a grant in lieu of taxes pursuant to [said] section 12-389 19a or section 1 of this act, as applicable.

Sec. 9. Section 4b-39 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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- Land, buildings or facilities leased pursuant to section 4b-35 and section 4b-36 shall be exempt from municipal taxation. The value of such land, buildings or facilities shall be used for computation of grants in lieu of taxes pursuant to section 12-19a or section 1 of this act, as applicable.
- Sec. 10. Section 4b-46 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

On and after July 1, 1995, any property which is subject to an agreement entered into by the Commissioner of Administrative Services for the purchase of such property through a long-term financing contract shall be exempt from taxation by the municipality in which such property is located, during the term of such contract. The assessed valuation of such property shall be included with the assessed valuation of state-owned land and buildings for purposes of determining the state grant in lieu of taxes under the provisions of section 12-19a or section 1 of this act, as applicable.

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Sec. 11. Section 10a-90 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

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The Board of Trustees for the Connecticut State University System, with the approval of the Governor and the Secretary of the Office of Policy and Management, may lease state-owned land under its care, custody or control to private developers for construction of dormitory buildings, provided such developers agree to lease such buildings to such board of trustees with an option to purchase and provided further that any such agreement to lease is subject to the provisions of section 4b-23, prior to the making of the original lease by the board of trustees. The plans for such buildings shall be subject to approval of such board, the Commissioner of Administrative Services and the State Properties Review Board and such leases shall be for the periods and upon such terms and conditions as the Commissioner Administrative Services determines, and such buildings, while privately owned, shall be subject to taxation by the town in which they are located. The Board of Trustees for the Connecticut State University System may also deed, transfer or lease state-owned land under its care, custody or control to the State of Connecticut Health and Educational Facilities Authority for financing or refinancing the planning, development, acquisition and construction and equipping of dormitory buildings and student housing facilities and to lease or sublease such dormitory buildings or student housing facilities and authorize the execution of financing leases of land, interests therein, buildings and fixtures in order to secure obligations to repay any loan from the State of Connecticut Health and Educational Facilities Authority from the proceeds of bonds issued thereby pursuant to the provisions of chapter 187 made by the authority to finance or refinance the planning, development, acquisition and construction of dormitory buildings. Any such financing lease shall not be subject to the provisions of section 4b-23 and the plans for such dormitories shall be subject only to the approval of the board. Such financing leases shall be for such periods and upon such terms and conditions that the board shall determine. Any state property so leased shall not be subject to

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- 442 local assessment and taxation and such state property shall be
- 443 included as property of the Connecticut State University System for
- 444 the purpose of computing a grant in lieu of taxes pursuant to section
- 445 12-19a or section 1 of this act, as applicable.
- Sec. 12. Subsection (b) of section 10a-91 of the general statutes is
- repealed and the following is substituted in lieu thereof (Effective July
- 448 1, 2016):
- (b) Any land so leased to a private developer for rental housing or
- 450 commercial establishments and the buildings and appurtenances
- 451 thereon shall be subject to local assessment and taxation annually in
- 452 the name of the lessee, assignee or sublessee, whichever has immediate
- 453 right to occupancy of such land or building, by the town wherein
- situated as of the assessment day of such town next following the date
- 455 of leasing. Such land shall not be included as property of the
- 456 Connecticut State University System for the purpose of computing a
- 457 grant in lieu of taxes pursuant to section 12-19a or section 1 of this act,
- 458 <u>as applicable</u>.
- Sec. 13. Section 15-101dd of the general statutes is repealed and the
- 460 following is substituted in lieu thereof (*Effective July 1, 2016*):
- Whenever any lessee is required to pay property taxes under this
- chapter, the assessed valuation of such property subject to the interest
- of the lessee shall not be included in the annual list of assessed values
- of state-owned real property in such town as prepared for purposes of
- state grants in accordance with section 12-19a or section 1 of this act, as
- applicable, and the amount of grant to such town under [said] section
- 467 12-19a or section 1 of this act, as applicable, shall be determined
- 468 without consideration of such assessed value.
- Sec. 14. Subsection (c) of section 22-26jj of the general statutes is
- 470 repealed and the following is substituted in lieu thereof (Effective July
- 471 1, 2016):

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(c) The commissioner may lease all or part of one property acquired by him under this section as part of a demonstration project, in accordance with subsection (d) of this section, provided such project is approved by the Secretary of the Office of Policy and Management. Such property may be leased to one or more agricultural users for a period not to exceed five years. Such lease may be renewed for periods not to exceed five years. Any property leased under such demonstration project shall be exempt from taxation by the municipality in which the property is located. The assessed valuation of the property shall be included with the assessed valuation of stateowned land and buildings for purposes of determining the state's grant in lieu of taxes under the provisions of section 12-19a or section 1 of this act, as applicable.

Sec. 15. Subsection (c) of section 22-2600 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2016):

(c) The Commissioner of Agriculture may lease, permit or license all or part of said farm to one or more persons for the purpose of engaging in agriculture, as defined in section 1-1. Any such lease, permit or license shall be for a period not to exceed fifteen years and shall contain, as a condition thereof, compliance with the provisions of the permanent conservation easement granted pursuant to subsection (b) of this section. Any such lease, permit or license may be renewed for a period not to exceed fifteen years. Any property leased, permitted or licensed pursuant to this subsection shall be exempt from taxation by the municipality in which said property is located. The assessed valuation of said property shall be included in the assessed valuation of state-owned land and buildings for purposes of determining the state's grant in lieu of taxes pursuant to the provisions of section 12-19a or section 1 of this act, as applicable. Any such lease, permit or license shall be subject to the review and approval of the State Properties Review Board. The State Properties Review Board shall complete a review of each lease, permit or license not later than thirty days after

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receipt of a proposed lease, permit or license from the Commissioner of Agriculture.

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Sec. 16. Section 22a-282 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Materials Innovation and Recycling Authority, notwithstanding the provisions of subsection (b) of section 22a-208a concerning the right of any local body to regulate, through zoning, land usage for solid waste disposal and section 22a-276, may use and operate as a solid waste disposal area, pursuant to a permit issued under sections 22a-208, 22a-208a and 22a-430, any real property owned by said authority on or before May 11, 1984, any portion of which has been operated as a solid waste disposal area, and the authority shall not be subject to regulation by any such body, except that the authority shall pay to the municipality in which such property is located one dollar per ton of unprocessed solid waste received from outside of such municipality and disposed of at the solid waste disposal area by the authority. Any payment shall be in addition to any other agreement between the municipality and the authority. The provisions of section 12-19a and section 1 of this act, as applicable, shall not be construed to apply to any such real property.

Sec. 17. Section 23-30 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The Commissioner of Energy and Environmental Protection may, for the purposes specified in section 23-29, lease, for a period of not less than ninety-nine years, any lands within the state, title to which has been acquired by the resettlement administration or other agency of the government of the United States, provided the form of such lease shall be approved by the Attorney General. Said commissioner may enter into cooperative agreements with any branch of the government of the United States regarding the custody, management and use of lands so leased. All lands leased under this section shall, for the purposes of taxation, be considered as owned by the state, and the

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towns in which such lands are situated shall receive from the state grants in lieu of taxes thereon, as provided in section 12-19a or section

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Sec. 18. Section 32-610 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

The exercise of the powers granted by section 32-602 constitute the performance of an essential governmental function and the Capital Region Development Authority shall not be required to pay any taxes or assessments upon or in respect of the convention center or the convention center project, as defined in section 32-600, levied by any municipality or political subdivision or special district having taxing powers of the state and such project and the principal and interest of any bonds and notes issued under the provisions of section 32-607, their transfer and the income therefrom, including revenues derived from the sale thereof, shall at all times be free from taxation of every kind by the state of Connecticut or under its authority, except for estate or succession taxes but the interest on such bonds and notes shall be included in the computation of any excise or franchise tax. Notwithstanding the foregoing, the convention center and the related parking facilities owned by the authority shall be deemed to be stateowned real property for purposes of sections 12-19a and 12-19b, as amended by this act, and section 1 of this act, and the state shall make grants in lieu of taxes with respect to the convention center and such related parking facilities to the municipality in which the convention center and such related parking facilities are located as otherwise provided in [said] sections 12-19a and 12-19b, as amended by this act, or section 1 of this act, as applicable.

Sec. 19. Subsections (a) and (b) of section 32-666 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) Any land on the Adriaen's Landing site leased by the secretary for purposes of site acquisition for an initial term of at least ninety-nine

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years shall, while such lease remains in effect, be deemed to be stateowned real property for purposes of sections 12-19a and 12-19b, as amended by this act, section 1 of this act and subdivision (2) of section 12-81 and the state shall make grants in lieu of taxes with respect to such land to the municipality in which the same is located as otherwise provided in sections 12-19a and 12-19b, as amended by this act, or section 1 of this act, as applicable.

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(b) Any land that comprises a private development district designated pursuant to section 32-600 and all improvements on or to such land shall, while such designation continues, be deemed to be state-owned real property for purposes of sections 12-19a and 12-19b, as amended by this act, section 1 of this act and subdivision (2) of section 12-81, and the state shall make grants in lieu of taxes with respect to such land and improvements to the municipality in which the same is located as otherwise provided in sections 12-19a and 12-19b, as amended by this act, or section 1 of this act, as applicable. Section 32-666a shall not be applicable to any such land or improvements while designated as part of the private development district.

Sec. 20. Subsection (a) of section 12-62m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July* 1, 2016):

(a) If real property eligible for a grant or for reimbursement of a property tax or a portion thereof under the provisions of sections 12-19a or section 1 of this act, as applicable, 12-20b, as amended by this act, and 12-129p, or any other provision of the general statutes, is located in a town that (1) elected to phase in assessment increases pursuant to section 12-62a of the general statutes, revision of 1958, revised to January 1, 2005, with respect to a revaluation effective on or before October 1, 2005, or (2) elects to phase in assessment increases pursuant to section 12-62c with respect to a revaluation effective on or after October 1, 2006, the assessed valuation of said property as

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- reported to the Secretary of the Office of Policy and Management shall reflect the gradual increase in assessment applicable to comparable taxable real property for the same assessment year.
- Sec. 21. (NEW) (Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016) (a) For the purposes of this section:
- (1) "Base year" means the assessment year commencing on October 1, 2014;
- 609 (2) "Motor vehicle" means a motor vehicle, as defined in section 14-1 of the general statutes and snowmobiles;
- 611 (3) "Municipality" means any town, city or borough, consolidated 612 town and city or consolidated town and borough; and
- (4) "Taxable value" means seventy per cent of the true and actual value, determined pursuant to section 26 of this act, less three thousand dollars.

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- (b) Except as otherwise provided in section 12-81 of the general statutes, as amended by this act, on and after October 1, 2016, there is hereby imposed a tax on motor vehicles. No other tax may be imposed on motor vehicles by any municipality. Such tax shall be in an amount equal to the uniform state-wide mill rate multiplied by the taxable value of each motor vehicle. Such tax shall be payable by the owner of such vehicle. The uniform state-wide mill rate shall be calculated once on or before October 1, 2016, by the Commissioner of Revenue Services and shall be such that the total tax levied is equal to the amount of the total tax levied by all municipalities on motor vehicles for the base year.
- (c) The assessed value of each antique, rare or special interest motor vehicle, as defined in section 14-1 of the general statutes, shall not be more than five hundred dollars. The owner of any antique, rare or special interest motor vehicle may be required by the Commissioner of

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Revenue Services to provide reasonable documentation that such motor vehicle is an antique, rare or special interest motor vehicle, provided the owner of any motor vehicle for which special number plates have been issued pursuant to section 14-20 of the general statutes shall not be required to provide any such documentation.

- (d) The Department of Revenue Services, in consultation with the Department of Motor Vehicles, shall establish a system to collect and administer such tax annually. The Commissioner of Revenue Services shall segregate the revenue from such tax and shall deposit it into the municipal motor vehicle reimbursement and revenue account established pursuant to section 23 of this act to be used by the Secretary of the Office of Policy and Management pursuant to section 23 of this act. On or before the thirty first day of January each year, the Commissioner of Revenue Services shall publish a taxable list of motor vehicles in the state.
- (e) The tax hereby imposed shall be due and payable not later than July annually and shall be made payable to the Commissioner of Revenue Services. As soon as such tax becomes delinquent, it shall be subject to interest at the rate of one and one-half per cent of such tax for each month or fraction thereof which elapses from the time when such becomes due and payable until the same is paid. The commissioner for good cause may extend the time for paying any amount required to be paid under this chapter if a written request therefor is filed with the commissioner not later than September first. Any person to whom an extension is granted shall pay, in addition to the tax, interest at the rate of one per cent per month or fraction thereof from the date on which the tax would have been due without the extension until the date of payment. Whenever there is an overpayment of the tax imposed by this section, the commissioner shall return to the taxpayer the overpayment.
- (f) Any tax on a motor vehicle levied by a municipality prior to the effective date of this section that remains unpaid after the effective

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date of this section shall remain payable to such municipality.

Sec. 22. (NEW) (Effective from passage) On or before January 1, 2016, the Commissioner of Revenue Services shall adopt regulations, in accordance with the provisions of chapter 54 of the general statutes, to carry out the provisions of section 21 of this act. Such regulations (1) shall set forth the process for administering the tax, including procedures to be followed by the Commissioner of Revenue Services to (A) notify owners of motor vehicles of the tax due, (B) correct, as may be necessary, any tax assessed, and (C) allow taxpayers to appeal the imposition or amount of any tax on a motor vehicle imposed pursuant to section 21 of this act; and (2) may provide procedures for taxation of motor vehicles upon registration with the Department of Motor Vehicles.

Sec. 23. (NEW) (Effective October 1, 2016) (a) There is established an account to be known as the "municipal motor vehicle reimbursement and revenue account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account. Moneys in the account shall be expended by the Secretary of the Office of Policy and Management for the purpose of distributing the tax on motor vehicles collected pursuant to section 21 of this act to municipalities.

(b) The Secretary of the Office of Policy and Management shall annually distribute moneys from such account in the following manner: (1) Each municipality shall receive an amount equal to the total tax levied by such municipality on motor vehicles for the base year unless the total tax on motor vehicles levied pursuant to section 21 of this act is less than such total tax levied by all municipalities for the base year, in which case, each municipality shall receive an amount which bears the same proportion as such municipality would have received had the total tax levied pursuant to section 21 of this act been equal to or greater than the total tax levied by all municipalities for the base year; and (2) for the moneys remaining after the distribution

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pursuant to subdivision (1) of this subsection, (A) fifty per cent of such moneys shall be distributed to each municipality in an amount which bears the same proportion as such municipality's population bears to the total state-wide population; (B) twenty-five per cent of such moneys shall be allocated, in addition to appropriations, to supplement grants payable to municipalities pursuant to section 1 of this act; and (C) twenty-five per cent of such moneys shall be distributed to each municipality in an amount which bears the same proportion as such municipality's population of persons living under the federal poverty level bears in relation to the total state-wide population of persons living under the federal poverty level.

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Sec. 24. (NEW) (Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016) (a) Any person who owns a motor vehicle which is not registered with the Commissioner of Motor Vehicles on the first day of October in any assessment year and which is registered subsequent to said first day of October but prior to the first day of August in such assessment year shall be liable for the payment of the motor vehicle tax imposed pursuant to section 21 of this act with respect to such motor vehicle in an amount as hereinafter provided, on the first day of January immediately subsequent to the end of such assessment year. The property tax payable with respect to such motor vehicle on said first day of January shall be in the amount which would be payable if such motor vehicle had been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services on the first day of October in such assessment year if such registration occurs prior to the first day of November. If such registration occurs on or after the first day of November but prior to the first day of August in such assessment year, such tax shall be a pro rata portion of the amount of tax payable if such motor vehicle had been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services on October first in such assessment year to be determined (1) by a ratio, the numerator of which shall be the number of months from the date of such registration, including the month in which registration occurs, to the first day of October next succeeding and the

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denominator of which shall be twelve, or (2) upon the affirmative vote of the legislative body of the municipality, by a ratio the numerator of which shall be the number of days from the date of such registration, including the day on which the registration occurs, to the first day of October next succeeding and the denominator of which shall be three hundred sixty-five. For purposes of this section the term "assessment year" means the period of twelve full months commencing with October first each year.

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(b) Whenever any person who owns a motor vehicle which has been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services in any assessment year and who, subsequent to the first day of October in such assessment year but prior to the first day of August in such assessment year, replaces such motor vehicle with another motor vehicle, hereinafter referred to as the replacement vehicle, which vehicle may be in a different classification for purposes of registration than the motor vehicle replaced, and provided one of the following conditions is applicable with respect to the motor vehicle replaced: (1) The unexpired registration of the motor vehicle replaced is transferred to the replacement vehicle, (2) the motor vehicle replaced was stolen or totally damaged and proof concerning such theft or total damage is submitted to the assessor in such town, or (3) the motor vehicle replaced is sold by such person within forty-five days immediately prior to or following the date on which such person acquires the replacement vehicle, such person shall be liable for the payment of motor vehicle tax with respect to the replacement vehicle in an amount as hereinafter provided, on the first day of January immediately subsequent to the end of such assessment year. If the replacement vehicle is replaced by such person with another motor vehicle prior to the first day of August in such assessment year, the replacement vehicle shall be subject to motor vehicle tax as provided in this subsection and such other motor vehicle replacing the replacement vehicle, or any motor vehicle replacing such other motor vehicle in such assessment year, shall be deemed to be the replacement vehicle for purposes of this subsection and shall be subject to motor vehicle tax

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as provided herein. The motor vehicle tax payable with respect to the replacement vehicle on said first day of January shall be the amount by which subparagraph (A) is in excess of subparagraph (B) as follows: (A) The motor vehicle tax which would be payable if the replacement vehicle had been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services on the first day of October in such assessment year if such registration occurs prior to the first day of November, however if such registration occurs on or after the first day of November but prior to the first day of August in such assessment year, such tax shall be a pro rata portion of the amount of tax payable if such motor vehicle had been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services on October first in such assessment year to be determined by a ratio, the numerator of which shall be the number of months from the date of such registration, including the month in which registration occurs, to the first day of October next succeeding and the denominator of which shall be twelve, provided if such person, on said first day of October, was entitled to any exemption under section 12-81 of the general statutes, as amended by this act, which was allowed in the assessment of the motor vehicle replaced, such exemption shall be allowed for purposes of determining the motor vehicle tax payable with respect to the replacement vehicle as provided herein; (B) the motor vehicle tax payable by such person with respect to the motor vehicle replaced, provided if the replacement vehicle is registered subsequent to the thirty-first day of October but prior to the first day of August in such assessment year such motor vehicle tax payable with respect to the motor vehicle replaced shall, for purposes of the computation herein, be deemed to be a pro rata portion of such property tax to be prorated in the same manner as the amount of tax determined under subparagraph (A) of this subsection.

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(c) Any person who owns a commercial motor vehicle which has been temporarily registered at any time during any assessment year and which has not during such period been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services for

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- (d) Whenever any motor vehicle subject to motor vehicle tax as provided in this section has been replaced by the owner with another motor vehicle in the assessment year immediately preceding the day on which such motor vehicle tax is payable, each such motor vehicle shall be subject to motor vehicle tax as provided in this section.
- (e) Upon receipt by the Commissioner of Revenue Services of notice from the Commissioner of Motor Vehicles, in a manner as prescribed by the Commissioner of Motor Vehicles, with respect to any motor vehicle subject to motor vehicle tax in accordance with the provisions of this section and which has not been entered in the taxable list of motor vehicles of the Commissioner of Revenue Services, such commissioner shall determine the value of such motor vehicle for purposes of motor vehicle tax assessment and shall add such value to the taxable list of motor vehicles for the immediately preceding assessment date and the tax thereon shall be levied and collected by the Commissioner of Revenue Services. Such motor vehicle tax shall be payable not later than the first day of February following the first day of January on which the owner of such motor vehicle becomes liable for the payment of motor vehicle tax with respect to such motor vehicle in accordance with the provisions of this section, subject to any determination that such tax shall be due and payable in installments.
- (f) Any motor vehicle which is not registered in this state shall be subject to property tax in this state if such motor vehicle in the normal

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course of operation most frequently leaves from and returns to or remains in one or more points within this state.

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Sec. 25. (NEW) (Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016) (a) Any person who is liable for the motor vehicle tax imposed under section 21 of this act in any assessment year in respect to a motor vehicle which in such assessment year is (1) sold by such person with ownership thereof transferred to the purchaser, (2) totally damaged, (3) stolen from such person and not recovered, or (4) removed from this state and registered in another state by such person who concurrently ceases to be a resident of this state, shall be entitled to a motor vehicle tax credit against the motor vehicle tax imposed under section 21 of this act in respect to such motor vehicle to be applied against any motor vehicle tax imposed under section 21 of this act for which such person is liable in the assessment year in which such motor vehicle is sold, damaged, stolen or removed and registered as provided in this section, or in the assessment year next following. Such motor vehicle tax credit shall be a pro rata portion of the tax payable in respect to such motor vehicle for the assessment year in which it is so sold, damaged, stolen or removed and registered to be determined by a ratio, the numerator of which shall be the number of full months from the date such motor vehicle is so sold, damaged, stolen or removed and registered, to the first day of October next succeeding and the denominator of which shall be twelve, provided (A) such credit shall not be allowed in such assessment year next following if property tax paid in respect to such motor vehicle, for the assessment year in which such motor vehicle is so sold, damaged, stolen or removed and registered, is allowed in reduction of the motor vehicle tax imposed under section 21 of this act due in respect to another motor vehicle replacing such motor vehicle as provided under subsection (b) of section 24 of this act, or (B) in the event such credit is allowed in the assessment year in which such motor vehicle is so sold, damaged, stolen or removed and registered, the property tax paid in respect to such motor vehicle for such assessment year shall not be allowed in reduction of property tax due

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in respect to another motor vehicle replacing such motor vehicle as provided under subsection (b) of section 24 of this act.

(b) Any person claiming a motor vehicle credit with respect to a motor vehicle in accordance with subsection (a) of this section for any assessment year shall, not later than the thirty-first day of December immediately following the end of the assessment year which next follows the assessment year in which such motor vehicle is so sold, damaged, stolen or removed and registered, file with the Commissioner of Revenue Services, documentation satisfactory to the commissioner concerning the sale, total damage, theft or removal and registration of such motor vehicle. Failure to file such claim and documentation as prescribed herein shall constitute a waiver of the right to such motor vehicle tax credit.

Sec. 26. (NEW) (Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016) On or before the first day of October each year, the Secretary of the Office of Policy and Management shall recommend a schedule of motor vehicle values which shall be used by the Commissioner of Revenue Services in determining the assessed value of motor vehicles for purposes of taxation, as provided in section 21 of this act. For every vehicle not listed in the schedule the determination of the value of any motor vehicle shall be the responsibility of the Commissioner of Revenue Services. Such schedule of values shall include, to the extent that information for such purpose is available, the value for assessment purposes of any motor vehicle currently in use. The value for each motor vehicle as listed shall represent one hundred per cent of the average retail price applicable to such motor vehicle in this state as of the first day of October in such year as determined by said secretary in cooperation with the Connecticut Association of Assessing Officers.

Sec. 27. Section 12-24b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

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The provisions of any special act to the extent inconsistent with the provisions of subsection [(c)] (b) of section 12-41, as amended by this act, section 12-58 and subdivision (50) of section 12-81 are repealed.

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- Sec. 28. Section 12-41 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016):
- (a) "Municipality", whenever used in this section, includes each 902 town, consolidated town and city, and consolidated town and 903 borough.
 - [(b) No person required by law to file an annual declaration of personal property shall include in such declaration motor vehicles that are registered in the office of the state Commissioner of Motor Vehicles. With respect to any vehicle subject to taxation in a town other than the town in which such vehicle is registered, pursuant to section 12-71, information concerning such vehicle may be included in a declaration filed pursuant to this section or section 12-43, or on a report filed pursuant to section 12-57a.]
 - [(c)] (b) The annual declaration of the tangible personal property owned by such person on the assessment date, shall include, but is not limited to, the following property: Machinery used in mills and factories, cables, wires, poles, underground mains, conduits, pipes and other fixtures of water, gas, electric and heating companies, leasehold improvements classified as other than real property and furniture and fixtures of stores, offices, hotels, restaurants, taverns, halls, factories and manufacturers. Commercial or financial information in any declaration filed under this section shall not be open for public inspection but may be disclosed to municipal officers for tax collection purposes.
 - [(d)] (c) Any person required by law to file an annual declaration of personal property may sign and file such declaration electronically on a form provided by the assessor of a municipality, provided such

LCO No. 5233 29 of 70 municipality (1) has the technological ability to accept electronic signatures, and (2) agrees to accept electronic signatures for annual declarations of personal property.

[(e)] (d) (1) Any person who fails to file a declaration of personal property on or before the first day of November, or on or before the extended filing date as granted by the assessor pursuant to section 12-42 shall be subject to a penalty equal to twenty-five per cent of the assessment of such property; (2) any person who files a declaration of personal property in a timely manner, but has omitted property, as defined in section 12-53, shall be subject to a penalty equal to twenty-five per cent of the assessment of such omitted property. The penalty shall be added to the grand list by the assessor of the town in which such property is taxable; and (3) any declaration received by the municipality to which it is due that is in an envelope bearing a postmark, as defined in section 1-2a, showing a date within the allowed filing period shall not be deemed to be delinquent.

Sec. 29. Section 12-43 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

Each owner of tangible personal property located in any town for three months or more during the assessment year immediately preceding any assessment day, who is a nonresident of such town, shall file a declaration of such personal property with the assessors of the town in which the same is located on such assessment day, if located in such town for three months or more in such year, otherwise, in the town in which such property is located for the three months or more in such year nearest to such assessment day, under the same provisions as apply to residents, and such personal property shall not be liable to taxation in any other town in this state. The declaration of each nonresident taxpayer shall contain the nonresident's post-office and street address. At least thirty days before the expiration of the time for filing such declaration, the assessors shall mail blank declaration

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forms to each nonresident, or to such nonresident's attorney or agent having custody of the nonresident's taxable property, or send such forms electronically to such nonresident's electronic mail address or the electronic mail address of such nonresident's attorney or agent, provided such nonresident has requested, in writing, to receive such forms electronically. If the identity or mailing address of a nonresident taxpayer is not discovered until after the expiration of time for filing a declaration, the assessor shall, not later than ten days after determining the identity or mailing address, mail a declaration form to the nonresident taxpayer. Said taxpayer shall file the declaration not later than fifteen days after the date such declaration form is sent. Each nonresident taxpayer who fails to file a declaration in accordance with the provisions of this section shall be subject to the penalty provided in subsection [(e)] (d) of section 12-41, as amended by this act. As used in this section, "nonresident" means a person who does not reside in the town in which such person's tangible personal property is located on the assessment day, or a company, corporation, limited liability company, partnership or any other type of business enterprise that does not have an established place for conducting business in such town on the assessment day.

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Sec. 30. Section 12-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

[(a)] When it has been determined by the assessors of a municipality that tangible personal property has been assessed when it should not have been, the assessors shall, not later than three years following the tax due date relative to the property, issue a certificate of correction removing such tangible personal property from the list of the person who was assessed in error, whether such error resulted from information furnished by such person or otherwise. If such tangible personal property was subject to taxation on the same grand list by such municipality in the name of some other person and was not so previously assessed in the name of such other person, the assessor shall add such tangible personal property to the list of such other

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person and, in such event, the tax shall be levied upon, and collected from, such other person. If such tangible personal property should have been subject to taxation for the same taxing period on the grand list of another municipality in this state, the assessors shall promptly notify, in writing, the assessors of the municipality where the tangible personal property should be properly assessed and taxed, and the assessors of such municipality shall assess such tangible personal property and shall thereupon issue a certificate of correction adding such tangible personal property to the list of the person owning such property, and the tax thereon shall be levied and collected by the tax collector. Each such certificate of correction shall be made in duplicate, one copy of which shall be filed with the tax collector of such municipality and the other kept by the assessors in accordance with a records retention schedule issued by the Public Records Administrator.

[(b) When it has been determined by the assessors of a municipality, at any time, that a motor vehicle registered with the Department of Motor Vehicles has been assessed when it should not have been, the assessors shall issue a certificate of correction removing such vehicle from the list of the person who was assessed in error, and, if such vehicle should have been subject to taxation for the same taxing period on the grand list of another municipality in this state, the assessors shall promptly notify, in writing, the assessors of the municipality where the vehicle should be properly assessed and taxed, and the assessors of such municipality shall assess such vehicle and shall thereupon issue a certificate of correction adding such vehicle to the list of the person owning such vehicle, and the tax thereon shall be levied and collected by the tax collector.]

Sec. 31. Section 12-71 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

(a) All goods, chattels and effects or any interest therein, including any interest in a leasehold improvement classified as other than real

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property, <u>but not including motor vehicles and snowmobiles</u>, belonging to any person who is a resident in this state, shall be listed for purposes of property tax in the town where such person resides, subject to the provisions of sections 12-41, <u>as amended by this act</u>, 12-43, <u>as amended by this act</u>, and 12-59. Any such property belonging to any nonresident shall be listed for purposes of property tax as provided in section 12-43, <u>as amended by this act</u>. [Motor vehicles and snowmobiles shall be listed for purposes of the property tax in accordance with subsection (f) of this section.]

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(b) Except as otherwise provided by the general statutes, property subject to this section shall be valued at the same percentage of its then actual valuation as the assessors have determined with respect to the listing of real estate for the same year. [, except that any antique, rare or special interest motor vehicle, as defined in section 14-1, shall be assessed at a value of not more than five hundred dollars. The owner of such antique, rare or special interest motor vehicle may be required by the assessors to provide reasonable documentation that such motor vehicle is an antique, rare or special interest motor vehicle, provided any motor vehicle for which special number plates have been issued pursuant to section 14-20 shall not be required to provide any such documentation.] The provisions of this section shall not include money or property actually invested in merchandise or manufacturing carried on out of this state or machinery or equipment which would be eligible for exemption under subdivision (72) of section 12-81 once installed and which cannot begin or which has not begun manufacturing, processing or fabricating; or which is being used for research and development, including experimental or laboratory research and development, design or engineering directly related to manufacturing or being used for the significant servicing, overhauling or rebuilding of machinery and equipment for industrial use or the significant overhauling or rebuilding of other products on a factory basis or being used for measuring or testing or metal finishing or in the production of motion pictures, video and sound recordings.

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(c) Upon payment of the property tax assessed with respect to any property referred to in this section, owned by a resident or nonresident of this state, which is currently used or intended for use in relation to construction, building, grading, paving or similar projects, including, but not limited to, motor vehicles, bulldozers, tractors and any trailer-type vehicle, excluding any such equipment weighing less than five hundred pounds, and excluding any motor vehicle subject to registration pursuant to chapter 246 or exempt from such registration by section 14-34, the town in which such equipment is taxed shall issue, at the time of such payment, for display on a conspicuous surface of each such item of equipment for which such tax has been paid, a validation decal or sticker, identifiable as to the year of issue, which will be presumptive evidence that such tax has been paid in the appropriate town of the state.

- (d) (1) Personal property subject to taxation under this chapter shall not include computer software, except when the cost thereof is included, without being separately stated, in the cost of computer hardware. "Computer software" shall include any program or routine used to cause a computer to perform a specific task or set of tasks, including without limitation, operational and applicational programs and all documentation related thereto.
- (2) The provisions of subdivision (1) of this subsection shall be applicable (A) to the assessment year commencing October 1, 1988, and each assessment year thereafter, and (B) to any assessment of computer software made after September 30, 1988, for any assessment year commencing before October 1, 1988.
- (3) Nothing contained in this subsection shall create any implication related to liability for property tax with respect to computer software prior to July 1, 1989.
- (4) A certificate of correction in accordance with section 12-57, as amended by this act, shall not be issued with respect to any property described in subdivision (1) of this subsection for any assessment year

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commencing prior to October 1, 1989.

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- (e) For assessment years commencing on or after October 1, 1992, each municipality shall exempt aircraft, as defined in section 15-34, from the provisions of this chapter.
- I(f) (1) Property subject to taxation under this chapter shall include each registered and unregistered motor vehicle and snowmobile that, in the normal course of operation, most frequently leaves from and returns to or remains in a town in this state, and any other motor vehicle or snowmobile located in a town in this state, which motor vehicle or snowmobile is not used or is not capable of being used.
- (2) Any motor vehicle or snowmobile registered in this state subject to taxation in accordance with the provisions of this subsection shall be set in the list of the town where such vehicle in the normal course of operation most frequently leaves from and returns to or in which it remains. It shall be presumed that any such motor vehicle or snowmobile most frequently leaves from and returns to or remains in the town in which the owner of such vehicle resides, unless a provision of this subsection otherwise expressly provides. As used in this subsection, "the town in which the owner of such vehicle resides" means the town in this state where (A) the owner, if an individual, has established a legal residence consisting of a true, fixed and permanent home to which such individual intends to return after any absence, or (B) the owner, if a company, corporation, limited liability company, partnership, firm or any other type of public or private organization, association or society, has an established site for conducting the purposes for which it was created. In the event such an entity resides in more than one town in this state, it shall be subject to taxation by each such town with respect to any registered or unregistered motor vehicle or snowmobile that most frequently leaves from and returns to or remains in such town.
- (3) Any motor vehicle owned by a nonresident of this state shall be set in the list of the town where such vehicle in the normal course of

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operation most frequently leaves from and returns to or in which it remains. If such vehicle in the normal course of operation most frequently leaves from and returns to or remains in more than one town, it shall be set in the list of the town in which such vehicle is located for the three or more months preceding the assessment day in any year, except that, if such vehicle is located in more than one town for three or more months preceding the assessment day in any year, it shall be set in the list of the town where it is located for the three months or more in such year nearest to such assessment day. In the event a motor vehicle owned by a nonresident is not located in any town for three or more of the months preceding the assessment day in any year, such vehicle shall be set in the list of the town where such vehicle is located on such assessment day.

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(4) Notwithstanding any provision of subdivision (2) of this subsection: (A) Any registered motor vehicle that is assigned to an employee of the owner of such vehicle for the exclusive use of such employee and which, in the normal course of operation most frequently leaves from and returns to or remains in such employee's town of residence, shall be set in the list of the town where such employee resides; (B) any registered motor vehicle that is being operated, pursuant to a lease, by a person other than the owner of such vehicle, or such owner's employee, shall be set in the list of the town where the person who is operating such vehicle pursuant to said lease resides; (C) any registered motor vehicle designed or used for recreational purposes, including, but not limited to, a camp trailer, camper or motor home, shall be set in the list of the town such vehicle, in the normal course of its operation for camping, travel or recreational purposes in this state, most frequently leaves from and returns to or the town in which it remains. If such a vehicle is not used in this state in its normal course of operation for camping, travel or recreational purposes, such vehicle shall be set in the list of the town in this state in which the owner of such vehicle resides; and (D) any registered motor vehicle that is used or intended for use for the purposes of construction, building, grading, paving or similar projects, or to

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facilitate any such project, shall be set in the list of the town in which such project is situated if such vehicle is located in said town for the three or more months preceding the assessment day in any year, provided (i) if such vehicle is located in more than one town in this state for three or more months preceding the assessment day in any year, such vehicle shall be set in the list of the town where it is located for the three months or more in such year nearest to such assessment day, and (ii) if such vehicle is not located in any town for three or more of the months preceding the assessment day in any year, such vehicle shall be set in the list of the town where such vehicle is located on such assessment day.

- (5) The owner of a motor vehicle subject to taxation in accordance with the provisions of subdivision (4) of this subsection in a town other than the town in which such owner resides may register such vehicle in the town in which such vehicle is subject to taxation.
- (6) Information concerning any vehicle subject to taxation in a town other than the town in which it is registered may be included on any declaration or report filed pursuant to section 12-41, 12-43 or 12-57a. If a motor vehicle or snowmobile is registered in a town in which it is not subject to taxation, pursuant to the provisions of subdivision (4) of this section, the assessor of the town in which such vehicle is subject to taxation shall notify the assessor of the town in which such vehicle is registered of the name and address of the owner of such motor vehicle or snowmobile, the vehicle identification number and the town in which such vehicle is subject to taxation. The assessor of the town in which said vehicle is registered and the assessor of the town in which said vehicle is subject to taxation shall cooperate in administering the provisions of this section concerning the listing of such vehicle for property tax purposes.]
- Sec. 32. Subdivision (53) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after*

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- 1187 (53) (a) One motor vehicle belonging to, leased to or held in trust 1188 for, any member of the United States armed forces, if such motor 1189 vehicle is garaged inside or outside the state;
 - (b) Any person claiming the exemption provided under this subdivision for any assessment year shall, not later than the thirty-first day of December next following the date on which property tax is due in such assessment year, file with the [assessor or board of assessors, in the town in which such motor vehicle is registered, Commissioner of Revenue Services written application claiming such exemption on a form approved for such purpose by [such assessor or board] said commissioner. Notwithstanding the provisions of this chapter, any person claiming the exemption under this subdivision for a leased motor vehicle shall be entitled to a refund of the tax paid with respect to such vehicle, whether such tax was paid by the lessee or by the lessor pursuant to the terms of the lease. Upon approving such person's exemption claim, the [assessor] commissioner shall certify the amount of refund to which the applicant is entitled [and shall notify the tax collector of such amount. The tax collector shall refer such certification to the board of selectmen in a town or to the corresponding authority in any other municipality. Upon receipt of such certification, the selectmen or such other authority shall draw an order on the Treasurer in favor of such person for the amount of refund so certified.] and shall draw an order on the Secretary of the Office of Policy and Management in favor of such person for the amount of refund so certified. Failure to file such application as prescribed herein with respect to any assessment year shall constitute a waiver of the right to such exemption for such assessment year;
 - Sec. 33. Subdivision (74) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016):

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(74) (A) (i) For a period not to exceed five assessment years following the assessment year in which it is first registered, any new commercial truck, truck tractor, tractor and semitrailer, and vehicle used in combination therewith, which is used exclusively to transport freight for hire and: Is either subject to the jurisdiction of the United States Department of Transportation pursuant to Chapter 135 of Title 49, United States Code, or any successor thereto, or would otherwise be subject to said jurisdiction except for the fact that the vehicle is used exclusively in intrastate commerce; has a gross vehicle weight rating in excess of twenty-six thousand pounds; and prior to August 1, 1996, was not registered in this state or in any other jurisdiction but was registered in this state on or after said date. (ii) For a period not to exceed five assessment years following the assessment year in which it is first registered, any new commercial truck, truck tractor, tractor and semitrailer, and vehicle used in combination therewith, not eligible under subparagraph (A)(i) of this subdivision, that has a gross vehicle weight rating in excess of fifty-five thousand pounds and was not registered in this state or in any other jurisdiction but was registered in this state on or after August 1, 1999. As used in this subdivision, "gross vehicle weight rating" has the same meaning as provided in section 14-1;

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(B) Any person who on October first in any year holds title to or is the registrant of a vehicle for which such person intends to claim the exemption provided in this subdivision shall file with the [assessor or board of assessors in the municipality in which the vehicle is subject to property taxation] Commissioner of Revenue Services, on or before the first day of November in such year, a written application claiming such exemption on a form prescribed by the Secretary of the Office of Policy and Management. Such person shall include information as to the make, model, year and vehicle identification number of each such vehicle, and any appurtenances attached thereto, in such application. The person holding title to or the registrant of such vehicle for which exemption is claimed shall furnish the [assessor or board of assessors] commissioner with such supporting documentation as said secretary

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may require, including, but not limited to, evidence of vehicle use, acquisition cost and registration. Failure to file such application in this manner and form within the time limit prescribed shall constitute a waiver of the right to such exemption for such assessment year, unless an extension of time is allowed as provided in section 12-81k. Such application shall not be required for any assessment year following that for which the initial application is filed, provided if the vehicle is modified, such modification shall be deemed a waiver of the right to such exemption until a new application is filed and the right to such exemption is established as required initially; [. With respect to any vehicle for which the exemption under this subdivision has previously been claimed in a town other than that in which the vehicle is registered on any assessment date, the person shall not be entitled to such exemption until a new application is filed and the right to such exemption is established in said town;]

(C) With respect to any vehicle which is not registered on the first day of October in any assessment year and which is registered subsequent to said first day of October but prior to the first day of August in such assessment year, the value of such vehicle for property tax exemption purposes shall be a pro rata portion of the value determined in accordance with subparagraph (D) of this subdivision, to be determined by a ratio, the numerator of which shall be the number of months from the date of such registration, including the month in which registration occurs, to the first day of October next succeeding and the denominator of which shall be twelve. For purposes of this subdivision, "assessment year" means the period of twelve full months commencing with October first each year;

(D) Notwithstanding the provisions of section [12-71d] <u>26 of this act</u>, the [assessor or board of assessors] <u>Secretary of the Office of Policy and Management</u> shall determine the value for each vehicle with respect to which a claim for exemption under this subdivision is approved, based on the vehicle's cost of acquisition, including costs related to the modification of such vehicle, adjusted for depreciation;

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Sec. 34. Section 12-81h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

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[Any municipality, upon approval by its legislative body,] <u>The Commissioner of Revenue Services</u> may allow an exemption from [property tax] <u>the motor vehicle tax imposed pursuant to section 21 of this act</u> to be determined as a uniform percentage of the assessed value of any one motor vehicle owned by any veteran with a condition of disability enabling such veteran to qualify for the exemption from property tax currently allowed under subdivision (20) or subdivision (21) of section 12-81, provided such motor vehicle must be specially equipped for purposes of adapting its use to the disability of such veteran.

Sec. 35. Section 12-95 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

No individual shall receive any exemption to which he is entitled by any one of subdivisions (19), (20), (22), (23), (25), (26) and (28) of section 12-81 or section 12-82 until he has proved his right to such exemption in accordance with the provisions of sections 12-93 and 12-94, together with such further proof as is necessary under the provisions of any of said sections. Exemptions so proved by residents shall take effect on the next succeeding assessment day, provided individuals entitled to an exemption under the provisions of subdivision (20) of section 12-81 may prove such right at any time before the expiration of the time limited by law for the board of assessment appeals of the town wherein the exemption is claimed to complete its duties and such exemption shall take effect on the assessment day next preceding the date of the proof thereof. For purposes of any tax payable in accordance with the provisions of section [12-71b] 24 of this act, any such exemption referred to in this section shall take effect on the first day of January next following the date on which the right to such exemption has been proved.

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Sec. 36. Section 12-110 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

- [(a) The board of assessment appeals in each town shall meet at least once in the month of September, annually, provided any meeting in the month of September shall be for the sole purpose of hearing appeals related to the assessment of motor vehicles, and shall give notice of the time and place of such meetings by posting it at least ten days before the first meeting in the office of the town clerk, and publishing it in some newspaper published therein or, if no newspaper is published in such town, in a newspaper having a general circulation in such town. Such meetings shall be held on business days, which may be Saturdays, the last not later than the last business day in the month of September, on or before which date such board shall complete the duties imposed upon it.]
- [(b)] The board of assessment appeals in each town shall meet in the month of March to hear appeals related to the assessment of property. Any such meeting shall be held on business days, which may be Saturdays, the last not later than the last business day in the month of March, on or before which date such board shall complete the duties imposed upon it.
 - Sec. 37. Section 12-112 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):
 - No appeal from the doings of the assessors in any town shall be heard or entertained by the board of assessment appeals [unless referred to it at one of its meetings during the month of September in the case of an appeal related to motor vehicle assessment or] unless written appeal is made on or before February twentieth in accordance with the provisions of section 12-111.
- Sec. 38. Section 12-121f of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

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- 1350 (a) An assessment list in any town, city or borough is not invalid as 1351 to the taxpayers of the taxing district as a whole because the assessor 1352 committed any one or more of the errors or omissions listed in 1353 subdivisions (1) to (15), inclusive, of this subsection unless an action 1354 contesting the validity of the assessment list is brought within four 1355 months after the assessment date and the plaintiff establishes that the 1356 assessor's error or omission will produce a substantial injustice to the 1357 taxpayers as a whole:
 - (1) The assessor failed to give the legal notice required by section 12-40 that all persons liable to pay taxes in the taxing district must, when required by law, bring in written or printed lists of the taxable property belonging to them;
 - (2) The assessor received a list that is either not sworn to or not signed by the person giving that list as required by section 12-49;
- (3) The assessor received a list after the deadline specified by section 1365 12-42 but neglected to fill out a list of the property described and add 1366 to the assessment the penalty set by section 12-42 for failing to file 1367 before the deadline;
- 1368 (4) The assessor failed to give the notice required by subsection (c) 1369 of section 12-53 after adding property to the list of any person or 1370 corporation making a sworn list;
- 1371 (5) The assessor failed to give the notice required by subsection (c) 1372 of section 12-53 after making out a list for a person or corporation that 1373 was liable to pay taxes and failed to give a required list;
- 1374 (6) The assessor failed to assess and set house lots separately in lists as land as required by section 12-42;
- 1376 (7) The assessor failed to sign any assessment list, or did not sign the

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assessment list of a town, city or borough collectively but signed the assessment list individually for districts in the town, city or borough;

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- (8) The assessor failed, as required by subsection (a) of section 12-55, to arrange an assessment list in alphabetical order, or to lodge the list in the required office on or before the day designated by law, or at all;
- 1382 (9) The assessor decreased valuations after the day on which the assessment list was lodged or was required by law to be lodged in the required office, but before the date on which the abstract of such list was transmitted or was required to be transmitted to the Secretary of the Office of Policy and Management;
- 1387 (10) The assessor failed, as required by section 12-42, to fill out a list 1388 for any person or corporation that failed to return a required list;
- 1389 (11) The assessor incorrectly made an assessment list abstract required by subsection (a) of section 12-55;
- 1391 (12) The assessor failed to compare, sign, return, date or make oath 1392 to an abstract of an assessment list of his or her town, as required by 1393 law, or omitted from an abstract any part of the list of any person;
- 1394 (13) The assessor did not take the oath required by law;
- 1395 (14) The assessor failed to return to a district clerk an assessment list 1396 of the district assessment; or
 - (15) The assessor omitted from the assessment list the taxable property of any person or corporation liable to pay taxes.
 - (b) An assessment list in any town, city or borough is not invalid as to the taxpayers of the taxing district as a whole because the board of assessment appeals or a member or members of the board committed any one or more of the errors or omissions listed in subdivisions (1) to [(6)] (5), inclusive, of this subsection unless an action contesting the validity of the assessment list is brought within four months after the

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- assessment date and the plaintiff establishes that the error or omission will produce a substantial injustice to the taxpayers as a whole:
- 1407 (1) A member or members of the board of assessment appeals did 1408 not take the oath required by law;
- [(2) The board of assessment appeals failed to give notice of the times and places of the meetings as required by section 12-110;]
- [(3)] (2) The board of assessment appeals held its first meeting on some day other than the day provided by section 12-110, as amended by this act;
- [(4)] (3) The board of assessment appeals added to the list of any person or corporation any item of taxable property actually owned by the person or corporation without giving the notice required by section 12-111 or 12-115;
- [(5)] (4) The board of assessment appeals increased the list of any person or corporation, or added to the assessment list the name of any person or corporation, without giving such person or corporation the notice required by section 12-111 or 12-115, and the amount of such list is not excessive or unjust; or
- [(6)] (5) Any assessment list or abstract thereof is not signed by a member acting on behalf of the board of assessment appeals after having been examined and corrected by the board of assessment appeals.

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(c) A tax laid and imposed in any town, city or borough is not invalid as to the taxpayers of the taxing district as a whole because of any one or more of the errors or omissions listed in subdivisions (1) to (5), inclusive, of this subsection unless an action contesting the validity of the tax is brought within four months after the tax is imposed and the plaintiff establishes that the error or omission will produce a substantial injustice to the taxpayers as a whole:

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- 1434 (1) The abstract of an assessment list was not transmitted to the 1435 Secretary of the Office of Policy and Management when required;
- 1436 (2) The proper authorities voted to levy a tax, but failed to fix the 1437 time when such tax should become due, and the tax collector has given 1438 notice that the taxes were to become due at a certain time;
 - (3) A rate bill or a bill for taxes for the collection of any tax was not made under the hands of the proper authority according to law;

- (4) The selectmen of any town made their rate bill from an assessment list made and corrected by the assessor and board of assessment appeals and lodged in the town clerk's office and disregarded any illegal alteration in the list made after the list and abstract were completed and lodged in the town clerk's office; or
- (5) A mistake, irregularity or omission occurred in any of the steps preparatory to the issuance of a rate bill or bill for taxes for any tax, or in the preparation or issuance of such a rate bill or bill for taxes, or in the warrant for collection thereof, provided such mistake, irregularity or omission is not shown by the taxpayer to have made his or her tax materially greater and that notice of the bill has been given to the taxpayer.
- Sec. 39. Subdivision (1) of subsection (i) of section 12-157 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):
- (i) (1) If the sale realizes an amount in excess of the amount needed to pay all delinquent taxes, interest, penalties, fees, and costs, the amount of the excess shall be held in an interest-bearing escrow account separate from all other accounts of the municipality. (A) If the property is redeemed prior to the expiration of the redemption period, the amount held in escrow shall, within ten days of the tax collector receiving notice of redemption, be turned over to the purchaser. Any

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interest earned shall be the property of the municipality. (B) If the property is not redeemed in the redemption period, the amount held in escrow may be used to pay the delinquent taxes, interest, penalties, fees and costs on the same or any other property of the taxpayer, including personal property. [and motor vehicles.] In the case of subparagraph (B) of this subdivision, the tax collector shall, within ten days of the expiration of the redemption period, pay to the clerk of the court for the judicial district in which the property is located the amount held in escrow remaining after paying the delinquent taxes, interest, fees, penalties and costs owed by the taxpayer to the municipality. The tax collector shall, within five days of the payment, provide notice to the delinquent taxpayer, any mortgagee, lienholder, or other encumbrancer of record whose interest in such property is choate and is affected by the sale, by certified mail, return receipt requested of the name and address of the court to which the moneys were paid, the person's right to file an application with the court for return of said money, and the amount of money paid to the court.

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- Sec. 40. Section 12-169a of the general statutes is repealed and the 1482 following is substituted in lieu thereof (*Effective October 1, 2016*):
 - (a) A municipality, by ordinance adopted by its legislative body, may establish a local scholarship fund to provide financial assistance for postsecondary education for residents of the municipality.
 - (b) Any municipality which establishes a local scholarship fund pursuant to subsection (a) of this section shall establish a scholarship committee or designate an existing committee in the municipality to select, annually, the scholarship recipients.
 - (c) A municipality may redesign and designate a place on its municipal [motor vehicle] real property tax bill for taxpayers to check off amounts to donate to the local scholarship fund. The redesign of such tax bill shall be done so as to allow a taxpayer to voluntarily check off and donate an amount of at least one dollar. The donated amount shall not reduce the tax liability but shall be in addition to the

LCO No. 5233 **47** of 70 amount otherwise due and payable. The redesign of the [motor vehicle] <u>real</u> property tax bill shall be approved by the Office of Policy and Management prior to its use. The municipality may include an insert with its [motor vehicle] <u>real</u> property tax bills which explains the scholarship fund and the check-off provision to the taxpayer. The town treasurer shall deposit all moneys collected as a result of the check-off in the fund and the treasurer may accept donations from other sources for purposes of the fund.

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- Sec. 41. Section 12-195b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):
- (a) If any personal property tax [, other than a tax on a motor vehicle, due any municipality is not paid within the time limited by any local charter or ordinance, or in the event that the municipality, following the assessment date for such tax, has reason to believe that such tax will not be paid when due, the municipality shall have a lien, upon perfection as hereinafter provided, upon the goods situated in this state and owned by the taxpayer upon the date of perfection, or upon the goods thereafter acquired by the taxpayer. Such lien shall attach and become perfected at the time when notice of such lien is filed pursuant to the filing provisions of part 5 of article 9 of title 42a, except that the signature of the taxpayer against whose property the lien is claimed shall not be required on said notice of lien and, in each case, the notice of lien shall be filed as if the debtor were located in this state. Except as hereinafter provided, upon perfection, such lien shall have priority over all subsequently perfected liens and security interests. Such lien shall not attach to or be applicable to proceeds.
- (b) On and after July 1, 1999, and except as otherwise provided by law, a notice of lien upon personal property for taxes payable to a municipality shall, once perfected under part 5 of article 9 of title 42a, have priority over all previously perfected liens and security interests and other encumbrances of record under the Connecticut Uniform

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- 1528 Commercial Code. If more than one municipality perfects such a notice
- of lien on the same day, the priority of such liens shall be determined
- 1530 by the time of day such liens were perfected, and if perfected at the
- same time, the lien for the highest tax amount shall take precedence.
- 1532 As used in this section, "municipality" means any town, consolidated
- town and city, consolidated town and borough, borough, district, as
- defined in section 7-324, and any city not consolidated with a town.
- 1535 (c) The provisions of this section shall not be construed to create any
- implication related to the priority of a lien perfected on or before June
- 1537 30, 1999.
- 1538 Sec. 42. Subsection (i) of section 14-12 of the general statutes is
- 1539 repealed and the following is substituted in lieu thereof (Effective
- October 1, 2016, and applicable to assessment years commencing on or after
- 1541 *October* 1, 2016):
- 1542 (i) The commissioner or any city, town, borough or other taxing
- 1543 district authorized under subsection [(f)] (e) of section 14-33, as
- amended by this act, may issue a temporary registration to the owner
- of a motor vehicle. The application for a temporary registration shall
- 1546 conform to the provisions of this section. A temporary registration
- may be issued for a time determined by the commissioner and may be
- renewed from time to time at the discretion of the commissioner. The
- 1549 fee for a temporary registration or any renewal thereof shall be as
- provided in subsection (n) of section 14-49.
- 1551 Sec. 43. Subsection (b) of section 14-15a of the general statutes is
- repealed and the following is substituted in lieu thereof (Effective
- October 1, 2016, and applicable to assessment years commencing on or after
- 1554 October 1, 2016):
- (b) (1) If the commissioner finds, upon investigation, that any motor
- vehicle available for lease or rental in this state has been registered in
- another state for the purpose of evading, or the effect of which is the
- avoidance of, the motor vehicle laws of this state, for the purposes of

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paying a lower registration fee or evading the payment of any tax levied by this state or any Connecticut municipality, said commissioner may, in said commissioner's discretion, (A) prohibit the lease or rental of any such motor vehicle in this state, (B) require that such motor vehicle be registered in this state in accordance with the provisions of section 14-12, as amended by this act, (C) suspend or revoke a license to engage in such leasing or renting issued under the provisions of section 14-15, or (D) require a licensee to furnish a bond in the amount of one thousand dollars for each vehicle registered in another state. (2) If the commissioner finds, upon investigation, that any licensee has failed to satisfy its obligations for payment of [municipal property taxes] the motor vehicle tax imposed under section 21 of this act, the commissioner may, thirty days after the issuance of notice to such licensee, and after notice and an opportunity for a hearing in accordance with the provisions of chapter 54, suspend such license until all such obligations are satisfied.

Sec. 44. Subsections (c) and (d) of section 14-16 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2016*):

(c) If the owner of a registered motor vehicle dies, the registration for the vehicle shall, unless the vehicle is destroyed, continue in force as a valid registration until the end of the registration period unless: (1) Ownership of the vehicle is transferred pursuant to subsection (b) of this section or by the deceased owner's executor, administrator, legatee or distributee prior to the end of the registration period, in which case the registration shall continue in force until the time of the transfer; or (2) ownership of the vehicle is transferred to the brother, sister, father, mother, child or spouse of the owner, in which case the registration shall, upon the payment of a fee of twenty dollars, continue in force until the end of the registration period or until the ownership is sooner transferred to a person other than such a relative. If at the end of the registration period the relative has not transferred ownership of the vehicle and the relative applies for registration of the vehicle, the

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- (d) If a motor vehicle is transferred in connection with the organization, reorganization or dissolution, or because of the partial liquidation, of an incorporated or unincorporated business in which gain or loss to the transferor is not recognized for federal income tax purposes under the Internal Revenue Code and Treasury regulations and rulings issued thereunder, the registration of the vehicle shall, upon the payment of a fee of twenty dollars, continue in force until the end of the registration period or until the registration is sooner transferred to anyone outside the original business organization. If the transferee of the motor vehicle has not transferred ownership of the motor vehicle to anyone outside the original business organization at the end of the registration period and the transferee applies for a registration for the vehicle, the registration shall not be subject to the provisions of subsection (a) of section [12-71b] 24 of this act.
- Sec. 45. Section 14-33 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):
- (a) Subject to the provisions of subsection (e) of this section, if any property tax, or any installment thereof, laid by any city, town, borough or other taxing district upon a registered motor vehicle or snowmobile remains unpaid, the [tax collector of such city, town, borough or other taxing district] Commissioner of Revenue Services shall notify the Commissioner of Motor Vehicles of such delinquency in accordance with guidelines and procedures established by the [commissioner] Commissioner of Motor Vehicles. The commissioner shall not issue registration for such motor vehicle or snowmobile for the next registration period if, according to the commissioner's records, it is then owned by the person against whom such tax has been assessed or by any person to whom such vehicle has not been transferred by bona fide sale. Unless notice has been received by the

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commissioner under the provisions of section 14-33a, as amended by this act, no such registration shall be issued until the commissioner receives notification that the tax obligation has been legally discharged; nor shall the commissioner register any other motor vehicle, snowmobile, all-terrain vehicle or vessel in the name of such person, except that the commissioner may continue to register other vehicles owned by a leasing or rental firm licensed pursuant to section 14-15, and may issue such registration to any private owner of three or more paratransit vehicles in direct proportion to the percentage of total tax due on such vehicles which has been paid and notice of payment on which has been received. The Commissioner of Motor Vehicles may immediately suspend or cancel all motor vehicle, snowmobile, allterrain vehicle or vessel registrations issued in the name of any person (1) who has been reported as delinquent and whose registration was renewed through an error or through the production of false evidence that the delinquent tax on any motor vehicle or snowmobile had been paid, or (2) who has been reported by [a tax collector] the Commissioner of Revenue Services as having paid a property tax on a motor vehicle or snowmobile with a check which was dishonored by a bank and such tax remains unpaid. Any person aggrieved by any action of the [commissioner] Commissioner of Motor Vehicles under this section may appeal therefrom in the manner provided in section 14-134. For the purposes of this subsection, "paratransit vehicle" means a motor bus, taxicab or motor vehicle in livery service operated under a certificate of convenience and necessity issued by the Department of Transportation or by a transit district and which is on call or demand or used for the transportation of passengers for hire.

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(b) Notwithstanding the provisions of subsection (a) of this section, the Commissioner of Motor Vehicles, in consultation with the Treasurer and the Secretary of the Office of Policy and Management, may enter into an agreement with the [tax collector of any city, town, borough or other taxing district] Commissioner of Revenue Services whereby the commissioner shall collect any property tax or any installment thereof on a registered motor vehicle which remains

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unpaid from any person against whom such tax has been assessed who makes application for registration for such motor vehicle. Each such agreement shall include a procedure for the remission of taxes collected to the [city, town, borough or other taxing district,] Commissioner of Revenue Services on a regular basis. [, and may provide that a fee be paid by the city, town, borough or other taxing district to the commissioner to cover any costs associated with the administration of the agreement.] In the event an agreement is in effect, the [commissioner] Commissioner of Motor Vehicles shall immediately issue a registration for a motor vehicle owned by a person against whom such tax has been assessed upon receipt of payment of such tax and a service fee of two dollars, in addition to the fee prescribed for the renewal of the registration.

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(c) On and after March 1, 1989, any municipality may participate in a program administered by the Commissioner of Motor Vehicles to facilitate the payment of fines for parking violations. If any such municipality elects to participate in such program, it shall provide for a notice of violation to be served personally upon the operator of a motor vehicle who is present at the time of service. If the operator is not present, the notice shall be served upon the owner of the motor vehicle by affixing notice to said vehicle in a conspicuous place. In the case of any motor vehicle that is leased or rented by the owner, not more than thirty days after the initial notice of a parking violation for which a fine remains unpaid at such time, a second notice of violation shall be mailed to the address of record of the owner leasing or renting the motor vehicle to such operator. No fines or penalties shall accrue to the owner of such rented or leased vehicle for the violation for a period of sixty days after the second notice is mailed. Upon receipt of such notification, the owner of such rented or leased vehicle may notify the municipality as to whom the lessee was at the time of such issuance of the notice of violation, the lessee's address, motor vehicle operator's license number and state of issuance, and the municipality shall issue such notice of violation to such lessee. A participating municipality shall notify the commissioner of every owner of a registered motor

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vehicle who has unpaid fines for more than five parking violations committed within such municipality on and after March 1, 1989. Upon receipt of such notification, the commissioner shall not issue or renew the motor vehicle registration of such person until he receives notification from such municipality that the delinquent fines have been paid.

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- (d) The provisions of subsection (c) of this section shall not apply to any person, firm or corporation engaged in the business of leasing or renting motor vehicles without drivers in this state with respect to any motor vehicle which is leased or rented. The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of subsection (c) of this section.
- (e) On and after July 1, 2004, each city and town shall make an annual payment to the Commissioner of Motor Vehicles, in an amount determined by the Secretary of the Office of Policy and Management, in order to participate in the program administered by the Department of Motor Vehicles pursuant to subsection (a) of this section. Such amount shall be each city or town's proportionate cost of the administration of said program, to be determined as follows: The number obtained by multiplying said program's administrative cost by a fraction the numerator of which shall be the city or town's population and the denominator of which shall be the population of the state. As used in this section, "population" means the number of persons in the city or town according to the most recent estimate made, pursuant to section 19a-2a, by the Department of Public Health. The commissioner shall, on or before July fifteenth, annually, certify to said secretary the commissioner's cost to administer said program. The secretary shall, on or before August first, annually, notify the chief executive officer of each city and town of the amount such city or town is required to pay to the commissioner and such amount shall be payable not later than September first following said notification date. All amounts received by the commissioner pursuant to this subsection shall be deposited into the General Fund. If a city or town fails to annually pay its

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proportionate share of said program's administrative cost, the commissioner shall not be required to deny the issuance of a registration, pursuant to subsection (a) of this section, to the person against whom such tax has been assessed by said city or town, or by a borough or other taxing district located therein.

(f) Any city, town, borough or other taxing district that notifies the commissioner of (1) a delinquency in accordance with subsection (a) of this section, or (2) an owner of a registered motor vehicle who has unpaid fines for more than five parking violations in accordance with subsection (c) of this section, may participate in a program to issue temporary registrations for passenger motor vehicles on behalf of the commissioner to persons whose registrations have been denied, and who subsequently make full payment to the city, town, borough or other taxing district for the amounts owed under said subsections. A participating city, town, borough or other taxing district shall issue such temporary registrations in accordance with subsection (i) of section 14-12, as amended by this act, and shall retain the fees authorized in subsection (n) of section 14-49 for such registrations. The commissioner may adopt regulations in accordance with chapter 54 to carry out the provisions of this subsection.

Sec. 46. Section 14-33 of the general statutes, as amended by section 1 of public act 14-19, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

(a) If any property tax, or any installment thereof, laid by any city, town, borough or other taxing district upon a registered motor vehicle or snowmobile remains unpaid, the [tax collector of such city, town, borough or other taxing district] Commissioner of Revenue Services shall notify the Commissioner of Motor Vehicles of such delinquency in accordance with subsection (e) of this section and guidelines and procedures established by the commissioner. The [commissioner] Commissioner of Motor Vehicles shall not issue registration for such

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motor vehicle or snowmobile for the next registration period if, according to the commissioner's records, it is then owned by the person against whom such tax has been assessed or by any person to whom such vehicle has not been transferred by bona fide sale. Unless notice has been received by the commissioner under the provisions of section 14-33a, as amended by this act, no such registration shall be issued until the commissioner receives notification that the tax obligation has been legally discharged; nor shall the commissioner register any other motor vehicle, snowmobile, all-terrain vehicle or vessel in the name of such person, except that the commissioner may continue to register other vehicles owned by a leasing or rental firm licensed pursuant to section 14-15, and may issue such registration to any private owner of three or more paratransit vehicles in direct proportion to the percentage of total tax due on such vehicles which has been paid and notice of payment on which has been received. The Commissioner of Motor Vehicles may immediately suspend or cancel all motor vehicle, snowmobile, all-terrain vehicle or vessel registrations issued in the name of any person (1) who has been reported as delinquent and whose registration was renewed through an error or through the production of false evidence that the delinquent tax on any motor vehicle or snowmobile had been paid, or (2) who has been reported by [a tax collector] the Commissioner of Revenue Services as having paid a property tax on a motor vehicle or snowmobile with a check which was dishonored by a bank and such tax remains unpaid. Any person aggrieved by any action of the [commissioner] Commissioner of Motor Vehicles under this section may appeal therefrom in the manner provided in section 14-134. For the purposes of this subsection, "paratransit vehicle" means a motor bus, taxicab or motor vehicle in livery service operated under a certificate of convenience and necessity issued by the Department of Transportation or by a transit district and which is on call or demand or used for the transportation of passengers for hire.

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(b) Notwithstanding the provisions of subsection (a) of this section, the Commissioner of Motor Vehicles, in consultation with the

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Treasurer and the Secretary of the Office of Policy and Management, may enter into an agreement with the [tax collector of any city, town, borough or other taxing district] Commissioner of Revenue Services whereby the commissioner shall collect any property tax or any installment thereof on a registered motor vehicle which remains unpaid from any person against whom such tax has been assessed who makes application for registration for such motor vehicle. Each such agreement shall include a procedure for the remission of taxes collected to the [city, town, borough or other taxing district,] Commissioner of Revenue Services on a regular basis. [, and may provide that a fee be paid by the city, town, borough or other taxing district to the commissioner to cover any costs associated with the administration of the agreement.] In the event an agreement is in effect, the [commissioner] Commissioner of Motor Vehicles shall immediately issue a registration for a motor vehicle owned by a person against whom such tax has been assessed upon receipt of payment of such tax and a service fee of two dollars, in addition to the fee prescribed for the renewal of the registration.

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(c) On and after March 1, 1989, any municipality may participate in a program administered by the Commissioner of Motor Vehicles to facilitate the payment of fines for parking violations. If any such municipality elects to participate in such program, it shall provide for a notice of violation to be served personally upon the operator of a motor vehicle who is present at the time of service. If the operator is not present, the notice shall be served upon the owner of the motor vehicle by affixing notice to said vehicle in a conspicuous place. In the case of any motor vehicle that is leased or rented by the owner, not more than thirty days after the initial notice of a parking violation for which a fine remains unpaid at such time, a second notice of violation shall be mailed to the address of record of the owner leasing or renting the motor vehicle to such operator. No fines or penalties shall accrue to the owner of such rented or leased vehicle for the violation for a period of sixty days after the second notice is mailed. Upon receipt of such notification, the owner of such rented or leased vehicle may notify the

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municipality as to whom the lessee was at the time of such issuance of the notice of violation, the lessee's address, motor vehicle operator's license number and state of issuance, and the municipality shall issue such notice of violation to such lessee. A participating municipality shall notify the commissioner of every owner of a registered motor vehicle who has unpaid fines for more than five parking violations committed within such municipality on and after March 1, 1989. Upon receipt of such notification, the commissioner shall not issue or renew the motor vehicle registration of such person until he receives notification from such municipality that the delinquent fines have been paid.

- (d) The provisions of subsection (c) of this section shall not apply to any person, firm or corporation engaged in the business of leasing or renting motor vehicles without drivers in this state with respect to any motor vehicle which is leased or rented. The commissioner shall adopt regulations, in accordance with chapter 54, to implement the provisions of subsection (c) of this section.
- (e) The tax collector of a city, town, borough or other district shall, at least once during each calendar month, notify the Commissioner of Motor Vehicles of any outstanding delinquent property tax payment or installment thereof for a registered motor vehicle or snowmobile. If a tax collector fails to provide such notice to the commissioner, the commissioner shall not be required to deny the issuance of a registration, pursuant to subsection (a) of this section, to the person against whom such tax has been assessed by said city or town, or by a borough or other taxing district located therein.
- (f) Any city, town, borough or other taxing district that notifies the commissioner of (1) a delinquency in accordance with subsection (a) of this section, or (2) an owner of a registered motor vehicle who has unpaid fines for more than five parking violations in accordance with subsection (c) of this section, may participate in a program to issue temporary registrations for passenger motor vehicles on behalf of the

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commissioner to persons whose registrations have been denied, and who subsequently make full payment to the city, town, borough or other taxing district for the amounts owed under said subsections. A participating city, town, borough or other taxing district shall issue such temporary registrations in accordance with subsection (i) of section 14-12, as amended by this act, and shall retain the fees authorized in subsection (n) of section 14-49 for such registrations. The commissioner may adopt regulations in accordance with chapter 54 to carry out the provisions of this subsection.

Sec. 47. Section 14-33a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

When a taxpayer who was reported to the Commissioner of Motor Vehicles as delinquent in taxes by [a tax collector] the Commissioner of Revenue Services in accordance with section 14-33, as amended by this act, is no longer delinquent, the [tax collector] Commissioner of Revenue Services shall immediately notify the Commissioner of Motor Vehicles in accordance with guidelines and procedures established by the [commissioner] Commissioner of Motor Vehicles. [No tax collector shall] The Commissioner of Revenue Services shall not knowingly submit a false report to the Commissioner of Motor Vehicles that a motor vehicle tax is no longer delinquent pursuant to this section.

Sec. 48. Subsection (c) of section 14-34a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):

(c) Notwithstanding any such agreement or plan, (1) any such commercial vehicle garaged at any fixed location or which leaves from and returns to one or more points within this state in the normal course of operations, shall be taxable in this state; [as personal property in the town where such vehicle is garaged;] (2) registration shall be denied any such vehicle if any [personal property] taxes are

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unpaid with respect to such vehicle, as provided in section 14-33, as amended by this act; (3) any such vehicle based in this state shall be subject to the provisions of sections 14-12, as amended by this act, 14-15, 14-15a, as amended by this act, 14-16a and chapter 247.

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- Sec. 49. Section 14-163 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):
- (a) The commissioner shall compile information concerning motor vehicles [and snowmobiles subject to property taxation pursuant to section 12-71] and snowmobiles subject to the motor vehicle tax imposed under section 21 of this act using the records of the Department of Motor Vehicles and information reported by owners of motor vehicles and snowmobiles. [In addition to any other information the owner of a motor vehicle or snowmobile is required to file with the commissioner by law, such owner shall provide the commissioner with the name of the town in which such owner's motor vehicle or snowmobile is to be set in the list for property tax purposes, pursuant to section 12-71.] On or before December 1, [2004] 2015, and annually thereafter, the commissioner shall provide to [each assessor in this state] the Secretary of the Office of Policy and Management and the Commissioner of Revenue Services a list identifying motor vehicles and snowmobiles that are subject to [property taxation in each such assessor's town] the motor vehicle property tax pursuant to section 21 of this act. Said list shall include the names and addresses of the owners of such motor vehicles and snowmobiles, and the vehicle identification numbers for all such vehicles for which such numbers are available.
 - (b) On or before October 1, [2004] <u>2017</u>, and annually thereafter, the commissioner shall provide to [each assessor in this state] <u>the Secretary of the Office of Policy and Management and the Commissioner of Revenue Services</u> a list identifying motor vehicles and snowmobiles [in each such assessor's town] that were registered subsequent to the first

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day of October of the assessment year immediately preceding, but prior to the first day of August in such assessment year, and that are subject to [property taxation] the motor vehicle property tax imposed pursuant to section 21 of this act on a supplemental list pursuant to section [12-71b] 24 of this act. In addition to the information for each such [vehicle and] snowmobile specified under subsection (a) of this section that is available to the commissioner, the list provided under this subsection shall include a code related to the date of registration of each such [vehicle or] snowmobile.

- [(c) No assessor or tax collector shall disclose any information contained in any list provided by the commissioner pursuant to subsections (a) and (b) of this section if the commissioner is not required to provide such information or if such information is protected from disclosure under state or federal law.]
- Sec. 50. Section 14-192 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2016, and applicable to assessment years commencing on or after October 1, 2016*):
- (a) The commissioner shall be paid the following fees: (1) For filing an application for a certificate of title, twenty-five dollars; (2) for each security interest noted upon a certificate of title or maintained in the electronic title file pursuant to subsection (b) of section 14-175, ten dollars; (3) for each record copy search, twenty dollars; (4) for each assignment of a security interest noted upon a certificate of title or maintained in the electronic title file, ten dollars; (5) for an application for a replacement certificate of title, twenty-five dollars, provided such fee shall not be required for any such replacement certificate of title (A) which is requested on a form prepared and signed by the [assessor in any town] Commissioner of Revenue Services for purposes of such proof of ownership of a motor vehicle as may be required in accordance with section [12-71b] 24 of this act for purposes of the motor vehicle tax imposed pursuant to section 21 of this act, or (B) in connection with an application submitted by a licensed dealer in

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accordance with the provisions of subsection (c) of section 14-12 or section 14-61; (6) for an ordinary certificate of title issued upon surrender of a distinctive certificate, ten dollars; (7) for filing a notice of security interest, ten dollars; (8) for a certificate of search of the records of the Department of Motor Vehicles, for each name or identification number searched against, twenty dollars; (9) for filing an assignment of security interest, ten dollars; (10) for search of a motor vehicle certificate of title record, requested by a person other than the owner of such motor vehicle, twenty dollars; and (11) for a bond filing under section 14-176, twenty-five dollars.

- (b) If an application, certificate of title or other document required to be mailed or delivered to the commissioner under any provision of this chapter is not delivered to the commissioner within ten days from the time it is required to be mailed or delivered, the commissioner shall collect, as a penalty, an amount equal to the fee required for the transaction.
- (c) Motor vehicles leased to an agency of this state and motor vehicles owned by the state, an agency of the state, or a municipality, as defined in section 7-245, shall be exempt from the fees imposed by this section.
- 1973 Sec. 51. (NEW) (*Effective July 1, 2016*) The following terms, when 1974 used in sections 51 to 54, inclusive, of this act have the following 1975 meanings, unless the context otherwise requires:
- 1976 (1) "Administrative auditor" means the person selected pursuant to section 52 of this act;
 - (2) "Average Fiscal Capacity" means the assessed value of all real property in all municipalities within the planning region combined, including property eligible for grants pursuant to sections 12-19a and 12-20a of the general statutes, divided by the total population of all municipalities of the state combined;

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1983 (3) "Base year" means the assessment year commencing on October 1984 1, 2013;

- (4) "Commercial and industrial property" means (A) real property used for the sale of goods or services, including, but not limited to, nonresidential living accommodations, dining establishments, motor vehicle services, warehouses and distribution facilities, retail services, banks, office buildings, multipurpose buildings wherein one or more occupations are conducted, commercial condominiums for retail or wholesale use, recreation facilities, entertainment facilities, airports, hotels and motels, and (B) real property used for production and fabrication of durable and nondurable man-made goods from raw materials or compounded parts. Commercial and industrial property includes the lot or land on which a building is situated and accessory improvements located thereon, including, but not limited to, pavement and storage buildings. Commercial and industrial property does not include real property located in an enterprise zone;
- (5) "Increase from base year" means the total assessed value of all commercial and industrial property within a municipality for the current year less the total assessed value of all commercial and industrial property within a municipality for the base year;
- (6) "Municipality" means any town, city, borough, consolidated town and city or consolidated town and borough;
- 2005 (7) "Municipal commercial industrial mill rate" means:
- T1 .4 X increase from base year X regional mill rate +
- T2 .6 X increase from base year X municipal mill rate + Municipal
- T3 Total value X municipal mill rate = commercial

T4 industrial
T5 Total value mill rate

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- 2006 (8) "Municipal contribution to the area-wide tax base" means the 2007 increase from base year multiplied by forty per cent, then multiplied 2008 by the regional mill rate and then divided by one thousand;
- 2010 (9) "Municipal fiscal capacity" means the assessed value of all real 2010 property within a municipality, including property eligible for grants 2011 pursuant to section 1 of this act, and sections 12-19a and 12-20a of the 2012 general statutes, divided by the population of such municipality;
- 2013 (10) "Municipal distribution index" means:

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- 2014 (11) "Planning region" means a planning region of the state as 2015 defined or redefined by the Secretary of the Office of Policy and 2016 Management, or his or her designee, under the provisions of section 2017 16a-4a of the general statutes;
 - (12) "Population" means the number of persons residing in a municipality according to the most recent federal decennial census, except that, in intervening years between such censuses, "population" means the number of persons according to the most recent estimate made, pursuant to section 19a-2a of the general statutes, by the Department of Public Health, with patients and inmates of state hospitals, institutions of correction, and other state institutions excluded;
 - (13) "Regional mill rate" means the average mill rate of each municipality within its respective planning region as calculated by the administrative auditor for such planning region and verified by the Secretary of the Office of Policy and Management; and
- 2030 (14) "Total value" means the total assessed value of commercial and industrial property within a municipality for the current tax year.

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Sec. 52. (NEW) (Effective July 1, 2016) (a) On or before August first and each subsequent even-numbered year thereafter, the regional council of governments, established pursuant to section 4-124j of the general statutes, for each planning region shall meet and elect from among their number one member to serve as administrative auditor for a period of two years and until a successor is elected. If a majority is unable to agree upon a person to serve as administrative auditor, the Secretary of the Office of Policy and Management shall appoint one member from among the council's members. If the administrative auditor ceases to serve as a member within the planning region during the term for which elected or appointed, a successor shall be chosen in the same manner as provided in this subsection for the original selection, to serve for the unexpired term.

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(b) The administrative auditor shall utilize the staff and facilities of the planning region. The planning region shall be reimbursed for the marginal expenses incurred by its staff by contribution from each other municipality in the planning region in an amount which bears the same proportion of the total expenses as the population such municipality bears to the total population of the planning region. The administrative auditor shall annually, on or before February first, certify the amounts of total expense for the preceding calendar year, and the share of each municipality, to the treasurer or other fiscal officer of each municipality within the planning region. Payment shall be made by the treasurer or other fiscal officer of each municipality to the treasurer or other fiscal officer of the planning region on or before the succeeding March first.

Sec. 53. (NEW) (Effective July 1, 2016) Notwithstanding any provision of any general statute, public act or special act, a municipality's municipal commercial industrial mill rate shall be the mill rate used to determine the amount of taxes imposed on commercial and industrial property within such municipality.

Sec. 54. (NEW) (Effective July 1, 2016) There is established a regional

LCO No. 5233 **65** of 70 property tax base revenue sharing system. On and after the effective date of this section, the tax collector of each municipality within a planning region shall remit its municipal contribution to the area-wide tax base to the administrative auditor for the planning region in which such municipality is located. The administrative auditor shall distribute such revenue to each municipality within the planning region pursuant to subsection (b) of section 55 of this act. The revenue distributed to a municipality under this section shall be used by a municipality in the same manner and for the same purposes as the proceeds from taxes on real property levied by the municipality.

Sec. 55. (NEW) (*Effective July 1, 2016*) The administrative auditor of each planning region shall distribute the moneys remitted to such auditor pursuant to section 54 of this act to each municipality in an amount which bears the same proportion as such municipality's municipal distribution index bears to the total of all municipal distribution indices within such planning region.

Sec. 56. Section 47-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2015*):

[Each estate, given in fee tail, shall be an absolute estate in fee simple to the issue of the first donee in tail.] Any conveyance of real property in fee tail shall constitute a conveyance in fee simple.

2085 Sec. 57. Sections 7-328b, 12-71b, 12-71c, 12-71d, 12-81c, 12-122a, 12-2086 129s and 12-144a of the general statutes are repealed. (*Effective October* 2087 1, 2016)

This act sha sections:	all take effect as follo	ows and shall amend the following
Section 1	July 1, 2016	New section
Sec. 2	July 1, 2016	12-19b
Sec. 3	July 1, 2016	12-19c
Sec. 4	July 1, 2016	12-20b(a)
Sec. 5	July 1, 2016	12-63h(a)

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Sec. 6	July 1, 2016	12-64(b)
Sec. 7	July 1, 2016	3-55j(a) to (d)
Sec. 8	July 1, 2016	4b-38(g)
Sec. 9	July 1, 2016	4b-39
Sec. 10	July 1, 2016	4b-46
Sec. 11	July 1, 2016	10a-90
Sec. 12	July 1, 2016	10a-91(b)
Sec. 13	July 1, 2016	15-101dd
Sec. 14	July 1, 2016	22-26jj(c)
Sec. 15	July 1, 2016	22-26oo(c)
Sec. 16	July 1, 2016	22a-282
Sec. 17	July 1, 2016	23-30
Sec. 18	July 1, 2016	32-610
Sec. 19	July 1, 2016	32-666(a) and (b)
Sec. 20	July 1, 2016	12-62m(a)
Sec. 21	<i>October 1, 2016, and</i>	New section
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 22	from passage	New section
Sec. 23	October 1, 2016	New section
Sec. 24	October 1, 2016, and	New section
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	N
Sec. 25	October 1, 2016, and	New section
	applicable to assessment	
	years commencing on or	
C 26	after October 1, 2016	NT ('
Sec. 26	October 1, 2016, and applicable to assessment	New section
	years commencing on or	
	after October 1, 2016	
Sec. 27	October 1, 2016, and	12-24b
JCC. 21	applicable to assessment	12.710
	years commencing on or	
	after October 1, 2016	
Sec. 28	October 1, 2016, and	12-41
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	

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Sec. 29	October 1, 2016, and	12-43
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 30	October 1, 2016	12-57
Sec. 31	October 1, 2016, and	12-71
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 32	October 1, 2016, and	12-81(53)
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 33	October 1, 2016, and	12-81(74)
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 34	October 1, 2016, and	12-81h
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 35	October 1, 2016	12-95
Sec. 36	<i>October 1, 2016, and</i>	12-110
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 37	October 1, 2016, and	12-112
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 38	<i>October 1, 2016, and</i>	12-121f
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 39	October 1, 2016, and	12-157(i)(1)
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 40	<i>October 1, 2016</i>	12-169a

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Sec. 41	October 1, 2016, and	12-195b
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 42	<i>October 1, 2016, and</i>	14-12(i)
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 43	<i>October 1, 2016, and</i>	14-15a(b)
	applicable to assessment	
	years commencing on or	
	after October 1, 2016	
Sec. 44	October 1, 2016	14-16(c) and (d)
Sec. 45	October 1, 2016, and	14-33
	applicable to assessment	
	years commencing on or	
0.46	after October 1, 2016	44.00
Sec. 46	October 1, 2016, and	14-33
	applicable to assessment	
	years commencing on or	
C 47	after October 1, 2016	14.00
Sec. 47	October 1, 2016, and	14-33a
	applicable to assessment	
	years commencing on or after October 1, 2016	
Sec. 48	October 1, 2016, and	14 242(2)
Sec. 46	applicable to assessment	14-34a(c)
	years commencing on or	
	after October 1, 2016	
Sec. 49	October 1, 2016, and	14-163
<i>Sec.</i> 47	applicable to assessment	14-103
	years commencing on or	
	after October 1, 2016	
Sec. 50	October 1, 2016, and	14-192
366.30	applicable to assessment	11 192
	years commencing on or	
	after October 1, 2016	
Sec. 51	July 1, 2016	New section
Sec. 52	July 1, 2016	New section
Sec. 53	July 1, 2016	New section
Sec. 54	July 1, 2016	New section
Sec. 55	July 1, 2016	New section

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Sec. 56	October 1, 2015	47-3
Sec. 57	October 1, 2016	Repealer section

Statement of Purpose:

To adjust the state grants in lieu of taxes for state-owned real property and property owned by private nonprofit colleges and hospitals.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. DUFF, 25th Dist.

<u>S.B. 1</u>

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